

# City Council Special Called Meeting Transcript – 05/02/2019

Title: City of Austin

Description: 24/7

Channel: 6 - COAUS

Recorded On: 5/2/2019 6:00:00 AM

Original Air Date: 5/2/2019

Transcript Generated by SnapStream

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[1:18:52 PM]

>> All right. I think we're all here. Ann is just around the corner. I'm going to Callo T order today's special meeting. It is may 2. At 1:18. Quorum is present. We're in the Austin city council chambers he aer city hall. We're going to discuss and possibly take action on the five questions that the manager asked plus additional direction. Colleagues, before we get started, I just want to recoate Sara Hensley's -- I know you're waving us off, but we're not going to quite to that. The last day with us is this coming Monday. She is moving to Denton and will the assistant city manager beginning on may 13. We would give you a distinguished service award but you already have a distinguished service award. And I just want to on behalf of so many people in the community, thank you for 12 yea of service to this city. Denton is lucky to have such an incredible leader. You have done so much in the extended time you had as interim asstant city manager. You coordinated the response to thhomee ssness challenge. No small feat. You opened one of the 10 most wonderful places to visit in the world with our library. You were instrumental in improving animal service LIV outcomes in the city.

[1:20:59 PM]

You helped us through se significant real estate negotiations here at the city. But your defining role, I think for so many of us, will be your work as parks director in this city. And every year we do a survey in the city of people l the community and we ask them what if -- what do you have the highest satisfaction with, what works best in this city? And under yr leadership, par was always up there at the you, in particular, were instrumental in moving waller cr K forward, that's a 150-year or more project. In terms of its significance. You marshaled through the board walk on lady bird lake. You helped build the asian-american resource center he T city. Too many public-private part rships to be able go through. Countless master plans and smaller improvements all over the city. We're all real sad you're going to leave. We're all real hopeful for you that the next place you leave behind a great team and an incredible legacy. And on what have of so many on thdias and on the community, I want to say THA you for the gifts you have given this city.

>> THA you, mayor.

>> Thank you.

>> Thank you very much. And it's bittersweet for me. But this is an opportunity to take on some different challenges. I love a good challenge. And they always say that you're a -- you're considered an expert 30 minutes outside your city. So, I -- I am sad to leave because of all of the wonderful friends and relationships I've had with the city, the community, the staff, and, of course, the council.

[1:22:59 PM]

But I want you to know I take with me those years of education and learning that will help me to be a Bette leader. But I have to tell you that I've been most proud of leaving behind a legacy of wonderful talented individuals in recreations who will take on the challenges across the city and do the best they can and have done without Reay a leader role because that's what they do. And to all of you, I want to thank you for your honor at this -- honesty, commitment to the city, your invitation to allow me to serve. But the other thing I want to say is I want to thank Elaine Hart. Because I would not have had the opportunity to serve two years as an interim city assistant manager and gain that experience that has allowed me to take this other job. And I will be forever grateful for you for this. So I leave you as not good-bye but hopefully maybe see you later or see you on I-35 because I'll be coming home a lot because I still consider Austin my home. Thank you very much.

>> Thank you.

[ Applause ]

>> Sara, you can't get away that easily. Sarah, on behalf of the city manager, myself, your colleague, all of your department director colleagues, and all of the employees of the city of Austin, thank you all for what you've done for us. Especially your boundless energy. You were the one to perk this up again. You were a joy to work with. Sara never said no when I asked her to do anything. That's what I loved most about her and her capability -- bringing people together. She's a collaborator, great context in the community. But she also has the ability to pull people together and move them in the same direction. But thanks again for everything you've done for the city, Sara.

[1:25:00 PM]

You're just down the road for me. So stop by sometime.

>> It's a real pleasure. It really is. Thank you.

>> Loved having you. Thank you.

>> Mayor? Mayor?

>> Yes, ladies.

>> I wanted to make Sara come back up to the podium one more time. Yeah, you're not going to get away that easy. I wanted to thank you, Sara, from all of the leadership that you've shown here to the city of Austin, all that I've learned from you. As a newbie councilmember and going forward and for the joy that you bring to the work here. I promise to continue to send you photographs and I wouldn't have a buddy if I hadn't been for the work that you were doing at animal services. And he's sure happy that he's living.

>> He looks happy.

>> Well, thank you for all of the -- as the mayor said, all of the gifts that you brought to the city of Austin. Bon voyage and enjoy Denton. It's a great city.

>> Thank you.

>> I enjoyed my time here, I really am. Thank you.

>> With that, we will declare today. And January day in Austin, Texas. A pause!

>> Thank you.

>> All right, colleagues. See if we can knock this out in the next 20, 30 minutes. No? Just checking. I'm going to try to take inventory of what I have in front of me to make sure that we have everything. There was a posting that the staff sent out that had all of the -- that had all of the changes that we adopted in the base document.

[1:27:13 PM]

Staff gave that to me. And at the same time, staff gave us an Excel spreadsheet that had 17 amendments. That was incredible work by staff in a quick period of time. So everybody had a hand in getting those documents to us, incredible job. So you know what I'm going to do up here in case you're curious and I've handed out to everybody and have posted it on to the message board is I took the two documents from the -- that the Mayor had laid out, the Excel spreadsheet. I numbered the amendments, 1 through 17 in the left-hand column in an Excel spreadsheet that I handed out. Then I handed out what was the staff document, but I put the pinned amendments in it. So, we have a document that has the Excel sheet and we have the base number with the pinned amendments shown. It's in red. On that document, there are a couple of places where there's stuff in blue and blue is where somebody was amending something with a pinned amendment that was language that was otherwise taken out. So, the blue represents zombie language. It's language that was removed in the base document, but someone is amending it with a pinned amendment. It's only happened in like one or two places. All right, what I also have I brought me beyond that is I have some amendments that have been posted and handed out. And there are some that have been handed out that I don't think have been posted. I'm going to go through what I have here to make sure I have everything I'm supposed to have. Cathy has handed out some amendments in yellow.

[1:29:16 PM]

Umerated on single pages, amendments one through 12. I had an earlier document that you had posted that was amendments one thrgh four. No, one thrgh five. Can you tell me how the handout that you have related to those?

>> Yes. However, mine are not numbered the same way. I' do my best.

>> Not a particular --

>> Just a global statement?

>> Amendments one through four are -- sorry, amendments one throughthree were pinned from last week, I believe. Amendments 4 through -- ay. I -- I can get specific later. But let me say some of these were posted for last week's meeting. Some of these were posted on the message board. Then there are general ones that were just distributed on the dais.

>> And as I'm looking at these, it looks like what was posted on the message board are amendments 1 through 5 in what you have now handed out. And 6 through the remainder, so 6 through 12 seem to be new ones. But we have those in front of us. We can get greater detail later. There's no 9, I.

>> No 9, that's lpfuhe okay. Then I have councilmember -- by the way, have youosd your amendments on yellow sheets 1 through -- 1 through 12? Mostly, we're working on it.

>> Okay.

>> All right. Then I have councilmember pool.

[1:31:20 PM]

Councilmember pool posted a -- an amendment. And it looks like that amendment has been handed out on the dais your motion sheet number one.

>> That's correct.

>> In addition to that, you have handed out motion sheets 2 and 3, is that correct?

>> 2 was the item that was pinned. And 3 is the insertion of two words on the compiled docume page 9.

>> Okay.

>> By compiled document, I mean this one that's the updated from 4/25 document. Okay.

>> Down at the bottom of page 9.

>> Mayor Adler: Okay. And then I have -- I have an amendment from councilmember kitchen which has a-- it's a moti sheet on yellow pages that is three pages. Is that the same as what you had posted on the message board this week?

>> Yes, I did -- I did reword one of these just to make it clear. But th content is still the same.

>> Which one did you reword?

>> It was item number 6 F that is reworded. The content -- the -- content is intended to be the same. I tried to make it clear. Everything else is exactly as I posted yesterday.

>> Okay. Thank you.

>> Mayor Adler: Then I have councilmember Casar. You handed out yello pages on the dais as pages 1ouhrgh 9.

[1:33:22 PM]

Is that as you posted earlier today?

>> It's just as I posted and they are all amendments -- two amendments, none of them are new amendments, save one, which is the changing the word walkd in the parking area. But everything else is new amendments, my suggesting changes to the pinned items.

>> It's as posted?

>> Correct.

>> Mayor Adler: Okay. Yes.

>> Tovo: Since that came up an hourago. I haven't even begun to look through. I understand they're amendments to amendments, I haven't had time to review those. Ife can take those a little later in the meeting.

>> Mayor Adler: Uh-huh. Councilmember Ellis. You handed out a yelw sheet? Is that -- motion sheet number one. Single page. Is thatthat you posted earlier today.

>> The version 2 motion sheet from a week ago, I'm going to withdraw that amendment for clarity from everybody.

>> Mayor Adler: Okay. Then I have -- yes?

>> Tovo: Sorry, I want to be sure I have that one withdrawn. The one that you'ree withdrawing, councilmember Ellis, was the one from last week that was noted?

>> Ellis: Yes, on this spread sheet,it's noted at a 14.

>> Tovo: Okay, eliminating corridors and centers. That amendment is gone.

>> Ellis: Correct.

>> Tovo: Thank you.

>> Mayor Adler: Okay. Then I have councilmember Harper Madison, in a at a --natascha, you handed this out. It looks like there are two amendments to yours. Amendment one and amendment -- I don't know if you -- if you handed yours out I have some copies, but it's the same as whats posted.

[1:35:27 PM]

But I'm happy to distribute copies.

>> Does anybody need a copy? What you posted, two copies down here. You have two copies that you can pass on to your left. And then it looks lik -- >>an we pass them out to everybody and I can make sure that the clerk gets them.

>> Mayor Adler: Making sure she had enough to pass out to everybody. Okay. And then I've happened out a yellow sheet. It has two amendments on it. And it's as I posted on to the message board.

>> Alter: Mayor. I want to clarify. I have some of the things on the spread sheet. Some put them on the ones they handed out and some didn't. I didn't make an additional one. I want to make sure it doesn't gest in the process.

>> Mayor Adler: That's right. The pinned ones are already posted and covered. All right. Now colleagues, let's talk about process here and how we get the through this. Our general custom is go through -- oh wait. Okay. So our general process has bn to go through amendments by -- by maker. And then take amentsme to those amendments made by the person who is making them. That's the process we started last week.

[1:37:29 PM]

At this point, we're telegraphed to kind of down and we have a base document now that's gone through two sets of revisions. We can either do it the way we've done it in the past where we go through by person, handling their amendments. Or at this point, it might also be appropriate for us to start at the beginning and then hit amendments as they come up in the subject area. In this case, now that we've gone through it with other uff, it might make more sense. Okay? Let's start doing that. This is -- again, if we decide something and people want to revisit it based on later amendments, we can do that. If people have questions at one time to be ae to read something, let's do that. And let's make sure at the end of ite ask the global question, okay, is there anything anywhere this that people want to revisit or do mething about? Okay? So, as look at the document, starting the beginning as I see it onmine, in question no. 1 and in a penned amendment, a 10, had proposed something the overall scope section, but then by what you have filed after that, it looks like you have moved that language to the

second question 1 F. >> Kitchen: Yeah, that's exactly right. I just figured that out myself, yes. I didn't intend it to be in question 1. It's supposed to be in question

>> Mayor Adler: Good, we'll cover that when we get it over to there. So I want to kind of check that off my thing here. The next thing are in the amendments in the code text section in number 4 where councilmember pool has proposed an amendment concerning that code text section.

[1:39:39 PM]

I think there are amendments that have added to this section by the best I can tell, tascna. Harper medicine, I think, has amen D on top of your amendments. So, what I would do is I would begin with councilmember pool and let her lay out and explain her amendments to that section. And then we can talk about things that other people want to change and then we can figure out what we want to do with that?

>> Pool: That's great. Thanks mayor.

>> Tovo: Mayor, I just want to reserve the right to go backwards. For example, I just -- I missed the opportunity T say that I have an amendment for one based on the process we did the other day. I organized them alphabetically. I have no concept -- not organized via question. I'm going to have to do that on and off all day long.

>> That's fine. For whatever reason you miss anything and you don't catch it until 45 minutes later, it is always in order to do THA all right. Leslie, want to lay out your changes. Start there.

>> Pool: Yeah, I'll explain what my amendment is. Before io that, I wanted to note that councilmember harper-madison'sndment and councilmember Ellis amendment is in a which I am not amending. So if you -- I woulday that I don't necessarily have any concerns. That wassen language, mayor, that you inserted last week but that we never tked about.

>> Mayor Adler: . Point >>ool: P I'm happy to pick up at B. But I'm at a.

>> Mayor Adler: Real fast, does anybody have anyobjeion?harp -Madison and Ellis propose that section a, the first sentence, add the words "Allowable," and add the words "Reduce overall flood risk I'm going to read the sentence.

[1:41:45 PM]

As amended, it would read the revised code text and maps could result in citywide allowable impervious cover, comma, improve citywide water quality, comma, and reduced overall flood risk. Anybody have any objection to those changes? Yes, councilmember alter.

>> Alter: Not sure I have a question. But I -- objection, but I have a question for staff. I don't ow ikn Ms. Tovo maybe had something else.

>> Tovo: I have a question.

>> Alter this is for the planning and watershed aff.st so, I'm struggling to understand how we could achieve a goal of reducing allowable impervious cover while mapping entitlements for increased impervious cover of interior neighborhoods. I wanted to ask our planning and watershed staff if they could share an thoughts about how we can hievac this.

>> Matt Holland, watershed protection. Going to bring up planning and zoning as well for the zoning piece. I'm sorry.

>> Kitchen: While they're rang questions, I'm trying to understand which document we're working off of. Are we working off of yours that you passed out?

>> Mayor Adler: I would suggest that. It has penned amendments in it. If people are bringing amendments, they've been handing out. But what I handed out is the staff's document.

>> Kitchen: That's fine.

>> Mayor Adler: So whate're looking at right now on the document that got handed out, item number 4 code text. What you don't have on that page is the amendment from councilmemr pool because it was not a penned amendment.

[1:43:48 PM]

Yes, tshi is amending -- while I'm looking here. The

>> Pool: The amendment we'll take up when we get to D is pool motion sheet number 1.

>> Mayor Adler: Right, so on the page that's been handed out, it has code text. There's a paragraph that says the revised land development code and it ends with it administratively.

>> Kitchen: What number is that? A, B, C --

>> Mayor Adler: Beginningith W code text. No letter. The bottom of page one.

>> Kitchen: I got it.

>> Mayor Adler: Hang on. It has the code next. If you go down to the language where it says administratively, period.

>> Kitchen: Mm-hmm.

>> Mayor Adler: What was proposed is the next sentence, the revised code text, that would become a. D in that one sentence, it's been proposed that it says the revised code text and map should result in reduced citywide allowable -- becomes an added word, impervious cover, comma, strike the word "And," so it says comma, improve citywide water quality, comma, and add the words "And reduce overall flood risk." That's what's before us right now. Councilmember alter has asked a question about that, staff?



>> Matt Holland once again, watershed action. Just to repeat the question, you're asking how do you not increase impervious cover and decrease water quality if you introduce new zoning categories in the transitions. Is that the --

>> Overall, we're increasing the capacity of our zoning code a lot with this direction. And my questions were directed at the impervious cover.

[1:45:51 PM]

But happy to understand more about the drainage though there are things I can do on the drainage that understand. I appreciate the change to allowable because it helps it to be clear but I'm not totally understanding how you do this big change and end up with a reduced amount of allowable impervious cover.

>> A good question. We track impervious cover vigorously. We looked at the existing levels of impervious cover and all watershed. We looked at what current code D allowed and we're talking about allowable here and we looked at the various code iterative in S -- I think the ratios we're showing. We were showing neutral to slightly lower impervious cover. The higher impervious cover categories like CS and GR going to be reduced at least in the past versions so those were kind of actually, you know, trending down the impervious cover entitlements. So we would expect something similar in this case where we look at each watershed and we look at the citywide city as a whole to see if there are slight increases over here. Are those matched in other areas within that same watershed?

>> Looking at the map or looking at what happens in actuality.

>> Looking at the maps because don't -- we can't really predict. We're basically predicting a maximum on each property. We do take account anything over the maximum today. We look at a little bit of reality plus future scenarios.

>> Okay, how about planning, did you want to?

>> Hi, council. Greg Dutton, planning and zoning. Just to follow up on what Matt said, I think that although the transition areas that may get minor bumps and impervious cover, the zoning changes a bit.

[1:47:52 PM]

That we could -- we can look at how that gets offset by minor reductions in impervious cover for new districts. As Matt mentioned, they may be higher density zones and impervious cover. So the equivalent zones in the new code may have slightly more, slightly less, and I think we would have to look at how that -- how the whole picture looks.

>> Slightly more and slightly less than draft three, but it doesn't mean for any given parcel it's only slightly more or less?

>> Sure. I mean, it doesn't mean that necessarily. I think that if we're talking mostly about the transition areas, then there could be a slight increase in impervious cover. It might be -- that increase might be larger as you get closer the corridor, for instance, and intensity goes up. I'm not saying it will necessarily be that way, but just thinking generally about how the zoning scheme works for any N parcel, it might be a little bit more, a little bit less. But it will be context sensitive.

>> Okay, for the clarification. I'm getting a lot of questions over this. I was not able to find an answer. Tonight get a little more information. I do think as I'm understanding what's being proposed in the transition areas, if you go back to the zoning in draft three, there are some that go up to 80% impervious cover from 40. That doesn't seem like a minor tweak to me. It may be offset somewhere else. But it's -- in those particular areas that is not a small increase. And I think that's going to -- that's going to -- that's just a question that I keep getting from folk and so, I wanted to add some more clarity. Restraint to the reducing of the flood risk, how much of that is dependent upon being able to implement the proposals that were in draft three with respect to flooding and drainage?

[1:50:01 PM]

>> Not sure we have an answer. We have to look at what's being proposed. The specifics on this. What's being proposed. We have several tools we can try to bring it there depending on what you guys ask us to look at.

>> Okay. Thank you.

>> Okay. Could you check -- it's been suggested up here that the document we have that has penned amendments on it is amending the original document, not the document that was changed. Let's check and see if we have the original penned document. Continuing on. So, what we have in front of us is taking that language, the last sentence in that paragraph making it a. So it's adding the words "Allowable" and reduced overall flood risk consistent with the amendments that came both from Harper Madison and from Ellis. Any objection to that? If none, those changes, then, are made. Yes? Go ahead.

>> So this is a follow-up on the question that congresswoman Alter just asked. I want to ask about the transition Zones and the increased impervious cover. I think Mr. Jones was explaining that. In addition -- I would concur with councilmember Alter. Getting a lot of questions about this. Can you explain about the transition Zones there would likely be an increase in impervious cover with them?

>> So, I don't know for sure there will be an increase in impervious cover. In draft three, there are a number of Zones that have allowed increased density but keep impervious cover at 45%, which is kind of the standard for our step stones today. So there may be instances where density increases, impervious cover stays the same or instances where density goes up and impervious cover goes up a bit.

[1:52:08 PM]

It depends on the zone and the development standards for the zone. So so, again, if you look at it on a lot-by-lot basis, some are going to have the same impervious cover. Some may have slightly more. And in other Zones, there may be slightly less.

>> Tovo: Okay. Thank you. And that would be because of different site development standards might come back to us in the mapping? Then different -- I guess it's a -- I'm struggling to understand what we're comparing to. Are we comparing to draft three or the conditions on the ground? In your -- in your response?

>> Iny M response, I'm comparing it to draft three. I did mention sf Zones which is obviously current code. But, it -- mostly comparing it to draft 3.

>> Does your response take into account the fact that rezonings could encourage redevelopment of existing tracks?

>> Rezoning under the new proposed map? Well, it would. Just because it WOU -- I don't think it would take into account redevelopment itself. As Matt mentioned, look at the zoning map and maximum impervious cover.

>> Tovo: Thanks very much.

>> Mayor Adler: Any objection to those amendments being added. Hearing none, those are added. Okay. Now, Leslie?

>> Pool: So, when I inserted B working with watershed protection and the gentlemen here with me today helped me with the language T clean water action in the save Barton creek association, I W taking a stab at clarifying and trying to provide some kind of stronger language to communicate to the public what our goals are as a city, which is to the clarity and the specificity would help us to make measurable progress our O goals for increasing the city's resilience and our commitment to the environment.

[1:54:21 PM]

So, in B, this drills down to say no provisions in the new code should be construed as weakening. Our current flood plain regulations, quality qualifications and criteria. The language was important to city staff that we get this right and we were specific and comprehensive. Then we're going to have the questions that my colleagues, colleagues alter and Tovo were asking, what are we measuring? Current conditions on the ground? Or are we measuring what the overall amount of impervious cover is in the city. And I'm long to compare like with like. So methods to measure and options to reduce impervious cover in watersheds recognizing our dozens of watersheds is unique. And methods to measure water quality in each watershed. Our staff should develop these methods for the new code and then incorporate the little and little 2 these goals. Impervious citywide should decrease impervious cover or make no change to each individual watershed. And then 2 I, improvements in water quality citywide should result in improvements in water quality for each additional watershed. Listening to the community and the esteemed colleagues on the dais and the general public, these are all statements that we would all agree with. I go and see to take note of atlas 14. Flood plain regulations, staff have been working on these

since we got them, I think it was last September. And here I am urging that we move these forward. They be approved and incorporated with most current rainfall data as soon as possible.

[1:56:24 PM]

So that we have the metrics, using the data that's available to us as soon as possible. And that piece thereof of particular concern and interest to our staff then D says -- asking the manager to report on how revisions to the land development code affect existing environmental regulations and I repeat understand that the goal of the council is to preserve or increase our current level of environmental protections. So, overall, what I'm doing here is bring clarity and try to answer some of the questions to try to nail down some less defined elements of previous language so that it's as clear as possible.

>> There a second to T pool amendment? Okay. Councilmember alter seconds that. So that we have the topic in front of us here, I think councilmember Ellis, you're proposing to amend some of the language that we saw in your motion sheet number one that's been handed out. Ellis? Motion sheet number one. So, we've already taken care of a. Those changes have already been accepted. So now we're looking at councilmember pool's sections B, C, and D. Councilmember Ellis, you want to walk us through the changes you're proposing.

>> I appreciate councilmember pool's work on this. I think it's important to call out environmental protection as we do something as important as land development. One of the adjustments I made, I'll speak quickly about little I. The addition of the word allowable provides a level of specificity for impervious cover goals and then we wanted to reiterate we're talking about relative to current code.

[1:58:26 PM]

So I think it was probably understood that way. So I just wanted to clarify it. And then you will see the same updates made in B, allowable and relative to current code. The reason I struggled a little bit with the first sentence is only because there's ambiguity in the word "Constructs" and I wanted to make sure not knowing your conversations with staff, councilmember pool, we're not leaving that to an a possible interpretation that was not actually intended and I thought it was a bit redundant in councilmember harper-madison's incorporations were in there. That it wasn't necessary. And then moving to D, I like the environmental protections that we have. But I like a not to looking forward about future sustainability. So I amended it to say the manager will report on how revisions to the land development code will likely affect our level of environmental sustainability with respect to flooding, water quality, air quality, and green use greenhouse emissions. And I think that that ropes in some of the previous conversations and adopted plan with the community climate plan with I believe 2015. Looking at water quality. Thinking about air quality and how our city planning is possibly affecting the health of our environment from that aspect in addition to water quality and impervious cover. So that's where I was coming from with this approach.

>> Mayor Adler: Hang on, second to those amendments councilmember Flanagan seconds those.

>> Pool: What I would say is I think if we look down at D, starting at the bottom where you left off, I would be willing to add your phrase but not delete mine, specifically because but it isn't really a program or operational.

[2:00:30 PM]

On the other hand, our E environmental regulations are measurable and they fact are the protections that contribute to our environmental sustainability. So I'm willing to adopt your phrase "Sustainability" with respect to flooding, water quality, air quality, greenhouse gas emissions. And I would like T have staff tell us if that is already included, to make sure we're not adding something they don't already do. I don't know -- T I don't know that air quality is part of watershed protections. I'm not sure about that. But I am not -- I am not I would be willing to do that if you leave it as it is.

>> We're comfortable with that they achieve the same objective. They get to the same spot. We don't see this as weakening that original intent of your original motion.

>> Great, I would see councilmember S's additions here as friendly as an addition to my existing language, if that is what she would also agree to.

>> Ellis: Yes, I can agree to that.

>> Mayor Adler: Any objection to water quality usage, comma? That change is made. It is proposed that we take both sets of this language.

>> I have a question for staff, if I may?

[2:02:32 PM]

Would you help to figure out -- I'm looking at the language in B. I have concerns about how it impacts density in the urban code

re >> Mayor Adler: We're in section D.

>> We're starting from the bottom from the amendment.

>> Mayor Adler: Hang on. Hang on. The way we -- we're on the other amendments. The first one we're discussing is section D. The subpart D. We get up to B and C in a moment. >>.

>> Mayor Adler: In D, we added water quality and added and language and take in essence the language that has been struck and the language that is added. Anyone have an objection to that? Hearing none, we'll get to this. That will now get us to discuss B. Councilmember -- yes, go ahead. C, there were no changes in C. So now up to B. Are you ok with the changes that said allowable and relevant to the current code.

>> I am.

>> Mayor Adler: Any objection to those?

>> I wanted further clarification. Because we're getting a lot of question.

>> Mayor Adler: I understand.

>> Harper-Madison: As I'm reading this, we're talking about allowable impervious cover. It is very likely there will be increased impervious cover on the ground as we develop to what is allowed under current codes, if this is not saying that we're expecting this under this direction that we are going to have an end result of reduced impervious cover today just allowable. Is that correct?

[2:04:32 PM]

>> Yes, absolutely. That's correct.

>> It is confusing for people. I wanted to make sure we clarified what that language actually --

>> Mayor Adler: Anyone have objection to including the two changes, allowable and relative to the code?

>> Flannigan: Today is not the place we're comparing. Two options for 10 years or 30 years in the future. There is a lot of Greenfield that will be developed no matter what we do. It is important for the community to understand it is not about today's impervious cover, but the likely coverage will look like over the decades.

>> Mayor Adler: Ok. Those changes in and allowable and relative to current code in both places, we have incorporated. That gets us in section B.

>> Excuse me mayor. Am I misunderstanding that I understand double I are part of B?

>> If I have objections can we not move forward?

>> Mayor Adler: Absolutely.

>> My question for part B -- I'm trying to figure out in the MI's eye how the consideration for each individual watershed ultimately affects our density. In the urban core. If you can speak to that, that would be great. >> Sure. We will work with the land use and zoning and PSD, if you want to hold it equal or have different objectives, we'll be looking at that as we map these areas. So there are various ways to increase density by going more vertical or doing -- there are various techniques to use, you don't necessarily have to increase impervious cover. You can increase density while you don't increase impervious cover. We will look at THA closely as you give us direction on how to proceed.

[2:06:52 PM]

This is the same exercise qui did a year ago.

-- We did a year ago.

--

>> Harper-madison: I think you answered my question.

>> Mayor Adler: Councilmember Garza.

>> Garza: Sir, I have a follow-up. You said that in order to keep the impervious cover the same, you can either do a subtraction, addition game with commercial property. In the end, if the numbers do add up, the only other option to decrease or leave impervious cover about the same as tot is allowed now is to go up.

>> The footprint on the site itself, but watershed pro tion is neutral on height. So we're ok as long as cover and function are intact.

>> I'm ok with keeping it the same or increasing. It means we have to go up taller.

>> Mayor Adler: I will go ahd and support this too, I think it is good. I think we share a desire. Not sure we're improve where we stand environmentally ins a many different ways as we can. When I first read this, I was concerned that we were going to be inviting the problem, W were asking the staff to resolve problems, didn't think they were in a position not to resolve.

[2:09:18 PM]

Anis dthsn't deal with that. I willold those reservations and concerns until we get to the other sections.

>> Ellis: I thank you. I --

>> I want to keep in the section, with the additional explanat iioay have satisfied her concerns. It sounds like I may have satisfied some others. Other thanhat, I take her language as additive, friendly.

>> We had a speaker last week talk about the quality of the soil has different impacts in terms of impervious, runoff. I'm curious if it is divided by watershed? Are there watersheds where the soil itself is so dense it acts as impervious or other parts -- or is it not?

>> I don't think we track soil quality across the city. We have information on soil types.

>> It is get and then not so good it is worth digging into?

>> As you trend up impervious cover, it puts pressure on the remaining perviousness to have it perform. That is where it comes into the depth of the soil. Those are important things in our criteria.

>> Maydler: My understanding as you go through this, to councilmember alter's point, this is city wide and cumulative impact. With that, I'm ok with the language. Any further discussion? Councilmember Ellis, we haven't voted on is the F sentence of section B.

[2:11:23 PM]

Further discussion on first section of B?

>> I think we're accomplish this with other verbiage throughout this document. I don't think it is necessary to keep. I think it still functions without it.

>> Kitchen: I appreciate that. If we feel like it is in other places, let's leave it in. We're dealing with a document that we're working with quickly. There are multiple places in the document that we say multiple things. I see no issue with -- I think we should keep it in. I would feel more comfortable if we keep it in.

>> Casar: My concern with the first sentence is the same with what councilmember Embis raised in the beginning which has to do with the word construed. We don't have that anywhere else in the document. That nothing should be construed as doing something. Frankly our staff can't do anything that somebody can't construe.

>> Mayor Adler: Does it help.

>> Casar: So we can either look at the sentence before this which says the revised code shall reduce citywide allowable impervious, reduce quality and flood risk. That says what our goal is. We don't have to have a second sentence that said it shall not be construed as doing the opposite. Or replace it with a sentence that is in the positive, that doesn't have construed. That says the new land development code should strengthen our drain improve water quality. At least then it says what we're trying to do. The staff should not do something that can be construed as doing something else, I just have trouble with that. I think - I'm not saying that their intention behind this is anything I disagree with or wrong. It is that word to me sticks out.

>> I think construed is an old-timey word.

[2:13:28 PM]

I am happy to shift it around. I also agree with putting sentences in the positive. I'm working through this the way you did councilmember Casar the land development code shall strengthen or should not weaken, current city of Austin floodplain regulations, I have to fight near that at the behest of staff.

>> Mayor Adler: Can we do that, it shall not weaken.

>> I would be ok with that, especially considering when you look at issues of density versus sprawl, that is what we're trying to get to.

>> Mayor Adler: Land development code should not weaken the current city of Austin and continuing on. People ok with that? That said, that is adopted. And that gets us past that.



>> Casar: Impervious cover per capita, it actually has regional impacts. More people live on less impervious cover we force less paving which contributes to flooding for everyone. It is important to consider as we come up with the metrics.

>> Mayor Adler: I will continue on in this document, because you said there was something we skipped on yours?

>> Tovo: Yes, amendment number 10 as distributed on the .is this goes into the overall scope for question one.

[2:15:38 PM]

This would alter the word city to -- it would read the manager would give a code that would be simplified and furthers the goals of -- change it to imagine Austin comprehensive plan.

>> Flannigan: You can just nod yes. It is my understanding all of the documents, they're considered part of the imagine Austin comprehensive plan? Then I agree.

>> Mayor Adler: Any objection to that language. Hearing none, it is adopted .

>> Tovo: Item 7, that would go under appropriately zoning map.

>> Mayor Adler: Section 5?

>> Tovo: It would add a C. Yes. Sorry. Amendment 7.

>> Mayor Adler: Amendment on zoning map. Right now, there is an A and B.

>> Tovo: This would add C. Suggesting that we be guided by some of the pretty extensive work we have had done in the past, including the zoning capacity and redevelopment study that was completed by staff, which analyzed residential dwelling unit potential by neighborhood planning areas across the city, which is not everywhere in the city, but provides a baseline for areas, its population and other things and it took a substantial amount of work.

[2:17:50 PM]

>> Mayor Adler: Ok. Councilmember Tovo moves the addition of C, determination of mapping as shown on amendment 7. Second to that? Councilmember Kitchen seconds that. Second? Casar.

>> Casar: I have no problem with the staff using any information available to them. Councilmember Tovo has raised this analysis up during a couple of work sessions, I never interjected. I do recall the conversation during a recent work session when there was what is the difference between this analysis and another analysis. I watched that video. The regional analysis tried to find capacity as economically feasible and tried to find capacity to economic feasibility. That is important. That is

mentioned in the manager's memo. To me, think the staff looking at numbers from fg nassy or frank. As broug forward, it is fine my preference is for the language to say determinations about mappg should be informed by the most accurate and precis analysis to staff. Not to call out any certain numbers analysis, to say the best that you can do, as far as accuracy and precise, use those analyses, because I don't think we should judge up on the dais taking a vote on whose economic model we like best.

>> Mayor Adler: What are the words you proposed.

>> Casar: Determination to informed by. Scratching the rest, singay the most accuratant precise capacity analyses available to staff.

[2:19:58 PM]

Staff is here. Do you want to say something? Hear from councilmember tovo.

>> Tovo: I feel about that like I do construed. I'm very -- I appreciate your point. I would be happy to intrate into this sentence a reference to freg nassy capacity analysis, I think they should both guide the mapping. That is my preference. This was a body of work I do believe was even consulted in the first round. I think it should be. Blah, blahah. Frig nassy numbers and et cetera.

>> Casar: Whatever it says, frank numbers, freg nassy numbers and whoever you have.

>> Mayor Adler: The most accurate analysis --

>> Tovo: I was not accepting that language.

>> Mayor Adler: I don't nt to limit it to two things. I tnk it is important to say you have the universe, if one has a partic study, I have no problem limiting it to a certain one. Or on the dais to try to come up with all the studies that would be appropriate to be considered here. Councilmember kitchen.

>> Kitchen: I'm not comfortable using the term most accuratend precise because that's a judgment call. Our staff will make a jgment call, but I don't want us to say most ate and precise. The point of what we're talking about is to say to staff that we would like them to use wverte -- whatever capacity and analysis is available including ones councilmember T mentioned and they can come back and tells their analysis of what they used but I don't want to use accurate and precise.

[2:22:18 PM]

That doesn't tell us anything.

>> Mayor Adler: I support that. Mapping should be informed by appropriate analysis provided by staff including consideration of -- and people list in consideration of. You want to say something or hear from them first?

>> Tovo: I didn't ask a question. I'm not sure what we are asking to weigh-in on. I understood the frigg numbers they were different, looking at areas where change was happening, demolitions, targeting increased change. The change from councilmember kitchen said removing accurate and precise, as long as we call out in particular this one and the frigg nassy study.

>> Mayor Adler: Determination and mapping should be informed by information to staff, and zoning analysis, frigg nassy, included by not limited to the zoning capacity redevelopment analyst and frigg nassy study.

>> Tovo: I don't mean to harp on different words. Consideration of is -- we made a caveat. I would not put consideration of. I want them to review these two things in doing that. So I think we may be similar in intent, but want to strip out consideration of and say including and the couple.

>> Mayor Adler: I guess the staff can decide what context it is appropriate or not appropriate to provide in whatever situation. I can't prejudge. I'm not familiar with it. I can't speak to its appropriateness or not. I want them to consider it in the decision of what is appropriate or not.

[2:24:20 PM]

Do you have more common on this.

>> Laura Keating. Planning and zoning. A few notes on the capacity studies. In 2011, it didn't look at specific geographies, the stuff during codenext projected a 10-year time line and identified parcels in feasibility. In that way, the capacity was viewed as smaller, because it was only looking at the parcels that were projected to redevelop over the next 10 years based on current data

>> Mayor Adler: Determination about Mapping should be informed by appropriate analyses available to staff, including but not eliminated to the zoning capacity and redevelopment analysis and the frigg nassy study. Does that work? Does that work for you guys? And you have then to consider it as it is appropriate for whatever you are trying to decide.

>> Garza: Are you saying the report was not considered because it was old and considered only certain things.

>> T methodology was different. It assumed a 10% redevelopment rate of already redeveloped land. Versus the capacity study under codenext looked at specific geographies and whether they're likely to develop over the next 10 years. The first one didn't have a time line, it was assuming 10% redevelopment over whatever of time.

>> Ndis[irritable].

>> In draft three, serving as the baseline.

[2:26:23 PM]

We want to use the methodology in the draft.

>> Garza: You would use the one councilmember tovo is suggesting --

>> Wese the analysis under codenext that included economic feasibility more than the 2011 study did.

>> Garza: This direction -- would it say that you have to read it? I don't understand what this direction does. Just they have to read it and you still can do whatever professionally you think can best? Is that how --

>> Mayor Adler: That's how I understand it. We're not mandating that they use this in any particular way. It is an impornt study, we want them to look at it, review it, use it appropriately.

>> Garza: I'm really concerned that we're gng down a road where we give direction to staff where WRE telling them you need to read this report, read this rt from 2011. This seems to be getting significantly in the weeds, how we construe things. You know my thoughts on that.

>> Can I ask a clarifying question? Ishe T 2011 the one councilmember tovo is raising or that we had had capacity to grow in the code or decided to do a rewrite after that.

>> I believe that's the one at councilmember sighting is the one done -- citing is the one done by Paul frank.

>> That is called the zoning capacity?

>> Tovo: Paul frank's analysis, that is the title of it. You know, it was prompted in part by the imagine Austin plan.

[2:28:26 PM]

It was prettyxtensive process. I think it has value. It is different. It is a different modelling and still valuable. My guess is if we asked anybody to look, they would see that assumption is low in some areas, that 10%. Don't know for sure. It assumed a 10% rate of growth that is probably exceeded in some of the neighborhood growing areas analyzed. It is an extensive analysis.

>> Mayor Aer: DL biggest fear of leaving this in, I will support putting in the name of the study by councilmember tovo. My concern putting it in, in four months, five months, someone will look at the work say it is inconsistent with the zoning capacity analysis all or in part. And we he to refer back to the conversation, where we say they weren't required to use it or apply it or anything of those things which we're saying to you and we designed language to prevent someone from being able to say that we required you to that or accept that. Because that is not what we're doing here today. I'm willing to live with that and if that question comes up in five months refer BAC to this. Use whatever is appropriate in the way it is appropriate to use it, but I think that a councilmember here is saying I younto specifically look at this one. Another councilmember says look at this one, it is ok to do. You are certainly not limited

to those. Create new .es I think that would enable us to move forward to the next amendment. Anybody have objection T that wording being included? Take a vote.

>> Wait.

>> Kitchen: Would you read it one more time?

>> Mayor Adler: Determinations about mapping should be informed by appropriate a analysis available to staff including but not limited to E zoning capacity and redevelopment analysis and the frig nassy study.

[2:30:35 PM]

Period.

>> Kitchen: We're not keeping the rest of the sentence? We're not keeping which analyze residential deadly weapon dwelling.

>> Mayor Adler: That's correct. Because for the next five minutes, each of us characterize the report --

>> Kitchen: I think it is important to be clear what language we're accepting.

>> Mayor Adler: Zoning capacity and redevelopment analysis. To let everybody describe that or characterize that themselves. Those in favor of including the language, raise your hand. Opposed. 2, harper-madison.

>> Mayor Adler: Next is a2, councilmember tovo, an amendment from you, a penned amendment. Where you are adding a number 6.

Tovo: Yes.

>> Kitchen: Is that one of the amendments THA you tossed out.

>> Tovo: I think we have a slight -- slight bit of confusion here.

>> Mayor Adler: Ok.

>> Tovo: The one that is integrated into this document that you distributed, mayor, is my preferred option. Wh you have on the dais is my second preferred option. So I'm going to move -- I will move the one that's in here. The regulatory requirements part of Austin forward resource plan should be codified as part of the land development code process. Let me just -- I think we already -- yeah. You have before you another option, listed amendment 6, which I distributed here today, which talks about certain key strategies.

[2:32:44 PM]

Amendment 6. I will move amendment 6, distributed on the dais and up on the message board, which amends my amendment from last week and calls out certain case strategies, these before that are called out are the ones that we as a council, in adopting and passing water forward called out as the highest priorities and asked that the staff move forward with this in an expedited manner. Councilmember Flannigan, I think it is consistent with the change made early on about reducing water use. This is how we do it through the water forward strategies. I know we had someone from somewhere the other day. Not water utility, I think it was Brentwoods spoke on behalf of water utility expressing concerns, but we're looking at some pretty major redevelopment going on right now. To go back and ask those -- you know, we're missing opportunities to really integrate the strategies of water forward if we allow some of the large projects coming down to move forward without doing what we have as a council acknowledged needs to be done to assure our sustainability water future.

>> Mayor Adler: Councilmember Tovooves M amendment 6 a handed out on the dais. A second? Councilmember Kitchen's second discussion? Councilmember Car.

>> Casar: Mayor, I'd like to move that we adopt this the way it's written in my amendment, which is very similar to councilmember Tovo's original. You will see it as my number one, amendment on my motion sheet, that we want to add water forward as it is related to land development code as it is able to be accelerated and implemented this year. With T listing the very specific components that we would have implemented because I haven't had time since this was just handed out now, on a dais to find out if these very specific water forward components that were handed out are ready to go this year or not.

[2:35:04 PM]

I want to implement what is ready to go this year and push staff to do as much as we can. But deciding right now are ready to go. We can hash it out. I'm supportive of this, if it is related and they can get done this year.

>> Mayor Adler: Amendment to the amendment. A second councilmember Flannigan seconds Casar's amendment. It is asked to be related to the land development code and are able to be accelerated and implemented. Discussion? Councilmember Kitchen?

>> Kitchen: I have a concern about the amendment councilmember Casar, specifically the able to be accelerated and implemented is year I have two concerns about that. The first concern is that we're making lots of changes to the land development code. They won't all be implemented this year. They need to be in the code. So the other concern I have is this is subject to interpretation. Able to be delayed when we adopted water forward, we wanted things to be done quickly. And we want them -- so I think this is backing off the policy that we adopted when we adopt water forward. I think it is too much of a qualifier. I can't support it.

>> Mayor Adler: Ok. Further discussion on this? Councilmember Casar. >> Casar: It is not a backing off, because it is doing more than was in the base document on Thursday.

[2:37:06 PM]

It is -- councilmember tovo's current endmamt said we should do water benchmarking, dual plumbing, landscape and alternative water this year. Very well, my amendment might mean we do all of those plus more. I don't know having just gotten this now and not having a discussion with staff about landscape transformation. Ne is not to say just these four. What we can get staff, work with the community to get done this year that is absolutely what W want to get done this year, without you askg us on the dais right now, for 11 councilmembers on the dais right now to determine whether or not landscape transformation can be done this year when it was just handed out as opposed to we all passed water d,arfo heard from the utility about comfort of some portions. We say we want to move forward as much as can be aelerated this year. Not I'm telling you right now which ones these are because I don't know without sitting down, which ones of these can get done this year, unless we want to hash it out. I think it should be more general.

>> Mayordler: Councilmember annigan.

>> Flannigan: I'm frustrated we couldn't get these de as quickly as we communicate we get these done. I don't want this to be the reason why we delay the implementation of the rewrite. I'm supportive of councilmember Casar's versi of the language because I would take the water forward and amend the current code today ift were available to do it. I N't want to disadvantage this entire process for a thing, for reasons I have yet to hear, staff has been unable get that part done. It is a much bigger thin

>> Mayor Adler: I concur with councilmember Flannigan and the things he said. I would point out to staff in the event that the Casar amendment passes and you are doing the work, if you don't include at least these four things, you will need be able to articulate why it is they have not been put into the code.

[2:39:22 PM]

>> Mayor?

>> Mayor Adler: Leslie hasn't had a chance to speak yet. Then to Cathy.

>> Pool: Whatf I we take your underlined red language and add it to Vo's amendment 6, before her red language where she enumerates water benchmarking so we say that should be codified and implemented as part of the comp hentsive land development code revision process, accelerated and implemented this year, song along that way. Because think we're saying the same thing. I also don't want to lose the enumeration just to make sure we call it out and also so people understand what those are, recognizing she's saying it is not limited to those, butgin at a minimum? Is there a way toom what councilmember Casar is trying to get and what councilmember tovo has written?

>> Mayor Adler: I T -- we haven't heard from Paige. Why don't you go, then we will me back to Cathy.

>> Ellis: My concern with the short list is we will hold up the land development process like councilmember Flannigan was saying. I think we should move for with what we agree instead of a

chance that this is swing down the processes by circling repeating what needs to be done first. We should call it out, but I don't know that we should be that specific in this moment.

>> Tovo: I want to clarify a few things. First of all, it said incorporate all of W forward. Yes, I distributed this on the dais, but it is more narrow than the amendment content. At the concern about what is able to be implemented is 0.

[2:41:37 PM]

I believe that is not an acceptable position to be in you know, the other option we have is just bring this forward as a separate issue, as occurred to me. It seemed like this is clearly related to the land development code, that we should be integrating the processes and we have agreed on -- we have all agreed on making these and we agreed on highlighting these four. So I'm going to do a little looking to see, councilmember pool, along the lines that you suggested. This is not an ordinance. It is a directional document. While we're spending time getting the language precise. We're providing direction, some of which will be doable and some of which may not be. So what I would suggest here is if there is not enough votes to pass my amendment number 6, I suggest we at least call out with councilmember Casar, say we believe the highest priority areas that should be -- that the staff should work hard to integrate within this time frame are these four. Some other statement suggesting that we want to succeed in our water forward options within there.

>> Kitchen: Mayor, I think I was next.

>> M Adlor: Hang on. Go ahead.

>> Kitchen: I was going to build offer what column? Toft -- councilmember Tovo and U said. With the language making sure the staff understood the enumerating list is our expectation to be done. If not able to be done for some reason, it is not anybody's intent to slow down the rest of the code.

[2:43:42 PM]

Perhaps a sentence, to keep the language and add a sentence to the effect E -- add a sentence that if this list is not able to be done this year, the staff would need to -- I forget the words you used mayor. But would need to report back to us why they couldn't and then that would communicate our policy directive to pursue these while recognizing that we don't want to slow down the rest of the code. We wouldn't be in a situation where we came back in the fall, now we can't do the code because they couldn't do one or more. Does that make sense?

>> Mayor Adler: Um ... So it would -- it would take Casar's amendment and add a sentence on it like the staff should report back if they can't --

>> Kitchen: I would do it the other way. Take councilmember Tovo's and those --



>> Mayor Adler: The amendment in front of us is Casar's amendment. Councilmember Flannigan.

>> Flannigan: I want to remind us the people we're directing with this document are here. They're listening. We're not writing an ordinance. I'm hopeful we can get through the document with the understanding that the people we're directing are listening to this conversation and know they would be held accountable to the words in the document and the way we're framing them. My hope is that through this document we're voting on the hard decisions so they know the choices they don't have to worry about us trying to avoid at the end.

[2:45:51 PM]

>> Mayor if I may, Rodney Gonzales, assistant city manager. I want to follow up on councilmember Flannigan's point. It is really important for us to have language that is not ambiguous and not conflicting. Council does have a priority for us to get the code process done by the end of the year. Certainly there are elements within Austin water forward that can't be done within that time frame. We don't want to bring forward a code that doesn't have all of the elements incorporated into it and then be subjected to that questioning as to why. So for us, it is really important, yes, to the extent that we can do the elements we will. But if it is an expectation we do all of them, I can say with certainty it is not the case.

>> Mayor Adler: Can you tell us why it is one thing that is not able to be done this year?

>> As to water forward it is my understanding in the water department --

>> Mayor Adler: I don't mean now, in the fall, if something isn't accelerated can you tell us why we did accelerate benchmarking.

>> We can, if that is the expectation here. If the direction is to do it, but then then come back.

>> Mayor Adler: Greg, would you be ok to take your amendment add a sentence that staff should report back on the following areas if they don't accelerate and implement this year and include the four areas? Anyone have an objection to so seeing I modified. We're still discussing councilmember Casares amendment? Cathy.

>> Tovo: At the suggestion of several members of the task force, they suggested that there be particular emphasis as the staff worked through this, that there is emphasis on implementing and test these are commercial developments 250,000 square or more.

[2:47:58 PM]

I add that as additional directional language. I lost track of where my amendment merged into councilmember Casar's. I think it is of high importance that we emphasize to staff that we believe a minimum, we should be targeting those developments that are 250 thousand square feet or more

and working toward dual plumbing, water benchmarking, landscape transformation and alternative water in place for the large projects, otherwise we're missing opportunities to never have again.

>> Mayor Adler: We'll come back to that next. Right now, looking at a councilmember Casar's amendment, on the following areas if not able to accelerate and implement in this year, the four areas listed in councilmember Tovo's. Any objection.

>> Kitchen: Repeat it more slowly.

>> Mayor Adler: Amendment.

>> Casar: -- Councilmember Casar, with the sentence that says staff will report BAC on the following areas if not able to accelerate and implement them this year, water benchmarking, dual plumbing, landscape transformation and alternative water. That doesn't mean -- that means when the report comes back, you are reporting back to us this fall or whenever you issue the report, you explain at that time. That is what is in front of us now. Moved and seconded.

>> I would be -- I appreciate the direction this is going. I think that the original suggestion, we add councilmember Casar's language into the original amendment is a better way to go. I think we will get to this place and certain key strategies in water forward is also important.

[2:50:02 PM]

I appreciate the amendment and I do support combining the two, I would like to have -- make the amendments to insert Casar into Tovo's.

>> Mayor Adler: If it doesn't pass, you'll have the chance. The vote now is on Casar. Those opposed. Kitchen, Tovo, pool, Harper no, and others aye. That passes.

>> Tovo: I make an amendment that the key strategies of -- at a minimum the key strategies of water benchmarking, dual plumbing, landscape transformation and alternative water should be implemented and tested for water developments 250 thousand square feet and more. It takes the four elements says at a minimum should be applied to commercial developments of a large size. It is --

>> Mayor Adler: Is there a second to the amendment? Go ahead.

>> Tovo: It is my understanding this is something staff are doing with regard to large-scale projects. I think this just makes it a standard just integrated it into land development.

>> Mayor Adler: Further discussion. Si

>> I'm not comfortable staff being required to do testing. If they're doing it, we don't need to require it.

>> Mayor Adler: Any further discussion?

>> Casar: I would like to see as much of this implementing especially in large scale buildings as possible. Is there someone from the staff can let us know whether this is something we're intended to do.

>> What was the question?

>> Casar: Aree intending as part of the process to apply the four strategies to buildings over a quarter million square feet.

[2:52:10 PM]

>> Casar: I know it is not in the code now. Is this something we're expected to do as part of the process as it stands.

>> When certain developments come in, say a planned UT development that we are involved and work to get that to adopt various strategies such as reuse, additional conservation programs. That is activities we undertake. The central downtown area has a growing reclaim system, so we're pushing reclaimed hard into those areas, including additional reclaim for toilet flushing and other uses that historically have not. But we don't do that across every development that is 2

-- 250 thousand square feet or above, but where we can work in that activity.

>> Casar: Somewhere I might feel comfortable, based on the little bit I have, I would like to test this, implement as appropriate. It tends to me like if you are near a purple pipe, you might implement it differently than if you are outside of the area where we have that or other geographic considerations like you just mentioned.

>> Yes. I mean, this is very broad code. And you know, when we say "Test" I don't know what that T means. We have been -- we have considerable concerns about hyperaccelerating all of this code. And it will produce risk and poor outcomes in my opinion, if we take all this code and accelerate it and try to get it done with the code next update. I think it is important to go into this with eyes wide open, the impact of this code, the cost this T will impose on land development and the need for wisdom at the utility to properly administer the programs without the risk of significant cross-connections and other concerns.

[2:54:13 PM]

I guess, we haven't had a chance to articulate why we are recommending that we stick to a schedule of at least a couple of years to work through this code. We're compressing code that we had envisioned ultimately over a five-year period that we would try to get done in the next six months. That is going to produce risk. I think somewhere along the line we would like to articulate those risks to the council we understand what we're getting into with implementing this code so rapidly.

>> Casar: Yeah, I don't think I feel comfortable with the language if I understand it saying, just go ahead and implement it then, given that I haven't heard what the risks are. Testing it means do the economic testing and where it works and is 250,000 square feet the right way, is it good in this use versus somewhere else. Testing and implementing where appropriate, I think it would give you the chance and

push you to try and see what it is you can do while giving you the chance to explain what works, what doesn't, what the works are.

>> We're not against T code, we recommended it in water forward. If we didn't think it was not the right thing to do we wouldn't have said we don't recommend this. We want to do it in the way with the highest quality outcomes. This is the water system, if we screw it up, people will notice. I'm communicating that.

>> Casar: I don't feel comfortable telling you to do something with that answer. If this is about testing what works, what doesn't, that is different. Before we vote, I want to be clear about what the T direction is specifically asking.

>> Mayor Adler: Tovo amendment is in front of us. Further discussion.

>> Tovo: I want to be clear, since we're not providing ordinance, we're writing a suggestion.

[2:56:18 PM]

Certainly nobody is endangering that you write it so quickly to harm the water supply. It is a concern that we don't get some pieces done, especially for larger buildings, we have learned things from dual plumbing, the central library and others. It takes time -- as you indicated you are working, your staff are working with some of the larger scale developments to get this in place. You don't have a code that requires it. To pass a land development code then tell the large-scale developments to integrate a new set. It seems if we get the new provisions in, all the better. By no means am I suggesting we endanger our water supply while doing it. I don't know why we can't write some of the high priority code in less than five years.

>> Well, we will write -- I don't want to bog you all down here with this. But, but -- just take the dual plumbing code. That is very technical code. That isn't just a few lines. That is going to be in the plumbing code. That will be in design criteria manual. We haven't -- we don't have that code written. We have not had stakeholder input on that. One of the commitments in water forward is this is the plan, not the code. We will come back, have in depth stakeholder involvement. I'm concerned about a can we get that all done by October. My understanding is you want the code ready to go by October. The other concern is we had imagined black water treatment systems to treat wastewater in mini treatment plants on buildings. We have no experience doing that at all. If the expectation is we can get ready for that in the next six months, that is a big risk. You know, part of water forward was building the wisdom within our utility and our society to implement these codes.

[2:58:19 PM]

That's one of the reasons we wanted to have a little more time. I'll make one more comment. The landscape transformation code keeps coming up. I want you to understand what that will involve. So

you have a flavor. We proposed that code a few years from now. That will require every single single-family residential home to submit a landscape plan to be reviewed, permitted that will be inspected during construction and that is going to be postconstruction monitored. That's -- that's seven to 10,000 new land development permits a year that we don't issue. That's going to be a lot of staff. A lot of specifications, a lot of cost. And if then since we can get that all done and ready to go and implement by October or November and the land development community is going to be ready for all of that, I think that is a tall ask. Can we write that code if we make that requirement? You bet. There are consequences in communicating that that is a three-year project versus six years.

>> Tovo: I'm comfortable with the language as added. I think water benchmarking about how we estimate how much water a building is going to use and tracking that, that that is probably not the kind of measure that that might be accomplishable --

>> We can get that one done.

>> Tovo: Probably has nothing to do with endangering the water supply. That is seeming like an area that is appropriate for potentially getting into the code. I mean, director, is that -- are you comfortable -- we have really backed off the original language. I think it is pretty general. It expresses it as a goal, with regard to the buildings that are larger scale. Over 250,000 square feet, is there something you can work with within the language that is suggested as appropriate?

[3:00:24 PM]

With the addition of "As appropriate."

>> We can absorb this. I have lost track of the amendments here. I think we can work towards those areas. That is a much narrower subset. Think

>> So help me understand how this is to be done. We've adopted something now that says STA has to report back at least in four areas. I would imagine a report like that would include, we couldn't do everything in all areas but this is what we have done and is reflected in the code. Let's explain to you why if we couldn't do it. I understand we want them to especially take a look at buildings, commercial buildings larger than 250,000 square feet because there might be opportunities there that would allow something to happen that might not allow something to happen. Do we get to where we want to get to by adding to the current language at least in the following areas able to accelerate and implement especially as commercial buildings larger than 250,000 square feet. That way when you report back you look not only globally but at those kind of buildings as well.

[3:02:30 PM]

Is there a justification or understanding why we don't move forward on that. And I wonder if that is -- gives us something that's even more global than just saying, picking one area, but saying globally on all of

these, see if there's a subset of buildings under 250,000 square feet where you might be able to do that. And if not it's okay. You don't have to shoehorn it in but you have to explain to the community why. Does that work?

>> Tovo: I think that works. As long as we're all trying to get to the place where if it's possible to integrate some of that as code, we are. Not that we're setting expectation that we get report back. But because there's so much discussion. I want to be clear the emphasis should be on the fact that we can't get the report back, that the emphasis should be on trying to get some of those back.

>> Wait, please -- please, go over the language again. I really want to --

>> Mayor Adler: The last line in the adopted language, as Casar's amendment that we approved said the staff should report back at least on the following areas if not able to create and implement this year.

>> I got that part.

>> Mayor Adler: What this adds is language after this year. Parenthetical, especially as concerns commercial buildings larger than 250,000 square feet. Closed parenthetical and that's where the Colin will . >> That's where it ends?

>> Mayor Adler: It lifts the four areas. Benchmarking, dual plumbing, landscape transformation and alternative water.

>> We're not including the testing?

>> Correct.

>> Mayor Adler: Hearing no objection that's now included let's take a vote on the amendment in toto.

[3:04:35 PM]

Those in favor of this amendment as changed by Council member Casar please raise your hand? Those opposed that's now included.

>> Mayor Adler: Council member. I systemed lower case "A," your suggestion was add language to that.

>> You sure did. It made me very sad.

>> Propose we amend the language to include affordability bonuses and lot size.

>> Is there a second?

>> For transition area.

>> Is there a second to that amendment?

>> Is there any discussion? Is there any objection to this? Discussion, do you want to go for it? Or it's your amendment so you have the opportunity to, if you want to.

>> I don't have a lot to add there. I think what is in there that already reflects on lot size and my objection is not so much to the inclusion of this, just that we now listed lots of provisions part of nccds. Moved and second. Those in favor, please raise your hand. Those posed, pool, tovo, kitchen, and those three. Any others voting no?

>> Abstaining.

>> The other seven voting aye. That amendment adopted. Okay? Continuing on council member tovo, you have an amendment, objective, which is 1b that rules to, in general, within activity centers.

[3:06:45 PM]

This is -- I had as your amendment 3. Is that right? Did you mean to offer that?

>> Tovo: I think I have two on these. We're moving on to question 2, is that right?

>> Mayor Adler: Yes, we're on question 2. Ellis had one that's been withdrawn. That gets us to sub section C.

>> Yes.

>> Tovo: Before we get to that distributed amendment 3. I think you referred to amendment 3. So I have two amendment 3s, one is T oneou numbered on the pin sheet. The other is amendment 3 that I distributed. We can take up the one I ribustd first. This adds language into question 2, objective 1. Sub section B. Ere.th sub section B and it would, in front of along the transit priority network, insert the word, the higher capacity routes of the transit priority network.

>> Mayor Adler: We're talking about adding the words the higher capacity routes. Is there a second to this amendment? Second? Discussion? Kathy?

>> I'll say in the last couple weeks when we passed the Austin strategic identity plan we altered transit priority network and those cloud roads that are different from the corridors that we talked about adding density and using as major corridors. The effect of that and will probably have different -- I mean, I haven't had an opportunity in the last two weeks, since some of this language made its way into the draft to really analyze it district by district but I can tell you the impact in my district it identifies stress like Duvall and treats them like streets like Lamar and Guadalupe.

[3:08:58 PM]

They are a different character, scale and transit. So, what you have on a street like 38 1/2, which has now become a trigger for increased density and treated again like imagine Austin corridor, you have a street that's now probably best -- will probably not be on our first phases of high capacity rail being treated as if it were a quarter like Guadalupe. I think that conversion of the two is not helpful.

>> Mayor Adler: Okay. Further discussion?

>> Or appropriate. I should say not appropriate.

>> Mayor Adler: Council member Garza?

>> Garza: Did you mean hire frequency routes? What do you mean by higher capacity routes?

>> Tovo: I'm trying to create -- I'm open to other language that might do it. I'm trying to distinguish those routes where I think you might have four or five bus routes potentially a rail route from those that might have an east-west route or interior neighborhood street like Duvall where you're possibly not going to have five bus routes.

>> I guess my concern with tying our land development code to what a current route may be right now. Those are subject -- we literally change things every six months. So I would be concerned about tying that to the land development code, if for whatever reason the example you gave Duvall now turns into a road where there are whatever the meaning of higher capacity is, then all of a sudden is that essential rezoning of that R because it's now become a higher capacity route?

>> Tovo: That somewhat speaks to my concern that we just very recently passed a strategic mobility plan that characterized what are in my neighborhood interior neighborhood streets and treating them like imagine Austin corridors.

[3:11:04 PM]

The other option would be stick with what is in the first draft which is not call out the transit priority route as triggers for increased density. So, we've now used that as a place where we want increased density yet again, they are very different routes in there, so, it's trying to acknowledge that something like Duvall is different from Guadalupe. 38 1/2 is not like mopac and other places. So --

>> I have two questions really about this, and I think we need someone from as&p here my understanding of transit priority network. That's a designation in the &p as it's bus routes faster than 15 minutes. I have it wrong. If understood correctly a transit priority network is not every bus route. It's designated as the ones that are more frequent. I forget how many there are of them, 16, 17, something like that. If we have the map we can look at the map. So I wanted to clarify that and in the second thing is, council member Tovo this is the not the place where I would make this difference. If the concern is to speak to higher capacity, this section is about tying affordability to increased entitlements. So, if -- you know, I would not want to make this change only here if T counsel wants to make this change, I would -- it has to be made throughout the entire document. The other thing is, I am reluctant to say that we're only going to tie increased entitlements to affordability along the higher capacity routes.

[3:13:14 PM]



So, I have concern about that. But, again, the first -- let's deal with the first question first. Am I understanding correctly the definition of transit priority network in the as&p?

>> Yes, ma'am. Roberts fuller director of transporon. The transit priority network is designed along those place where's there higher frequency transit ro. Es >> Okay.

>> The purpose of designating transit prrdy roadways in the as&p is so when tradeoffs or improvements to that corridor are made, that trans interis a priority in terms of the pipe of improvements, so, in terms of turning Rius and lane widths and so forth we're thinking transit orrmfo pace transit is an importantleme E of the that design press.

>> Okay, I would wan to look at -- I'm happy to look at a map but I'm not comfortable with higher capacity, because I don't -- that's not tied back to any particular definition.

>> Yeah --

>> So I would want to look at a map to see what those streets are

>> I'm sorry, I don't have a map with me. When I said higher capacity I meant higher frequency routes.

>> There's a map, it's posted in back-up.

>> I may have one.

>> I just don't have one >>

>> Tovo: Again I'm open to language but do you see the challenge here ttha we're -- you know, these -- I mean, they were selected as transit pority corridors for a particular reason. We're now targeting increased density some of them that are not -- that are very different than imagine Austin corridors.

>>Hey TRE not very different. When I looked at the map, again that's why I wanted clarification. And I might be wrong. I uld wrong. When I looked the map there was an almost complete overlap between the transit prior networks and activity corridors.

[3:15:15 PM]

I could be wrong. I was focused on south Austin, I might be missing something.

>> Tovo: Again, Duvall which is a very sleepy street at this point slet,yish

>> Mayor Adler: Let's get other people involved I the conversation, council member Flanagan.

>> Flannigan: I don't agree with moving a ofll them. Although we do have line on the transit priity network because someday we want to he them. It's a real chicken and egg issue for us. Doou H ye housing that supports transit or do you have transit in areas that are not orti later.

>> You have to build the housing first. That's the top two plans, you have T build the housing first. I wouldn't support adding this here or supportingdd it anywhere in this document.

>> Mayor Adler: My idea is it's not pported. Let's take a vote.

>> I do have something to add, which is in the map that we attached as an exhibit show how we do transition Zones it does state if the transition zone is not on imagine Austin corridor because it's on the transit priority network being on Duvall or another street that is a transit priority network otbu a corridor, that the transition zone begins at lot 2 so therefore begins at a ler intensity because you're not in an activity corridor which is higher intensity. That's part of the transition zone map exhibit. I know we aren't done on that sectioofn this document. I did bring it up because there's consideration there were priority transit network lines that are not activity corridors and we integrated in our direction it be less intense on thos streets.

>> That's not in the document now. I'd be happy to talk about -- I'd like to see it in the document.

[3:17:16 PM]

>> I believe it is in T map exhibit, the chart weave on missing middle and how I goes downward. I don't see it in the staff document thatame out the other day but I think it's supposed to be a PARTF what we passed. And if not I'm happy T reprint it and just bring it.

>> What --

>> Mayor Adler: If we can pencil some language.

>> We have to pencil language, whatever people prefer. We're not on that section. Not trying to get to a section we're not on I want to note that's contemplated.

>> Mayor Adler: For me I'm voting against the amendment. I want to support the work cap metro ha gone through. I'm going to do wherever I can to support that. There's amendment to have the words higher capacity routes. Are you ready to take a ve op that?

>> Could I ask a question? I want to be clear we're all on the same page thathe transit priority network is 15 minute or less, right? It's where there's bus routes that are 15 minutes or less.

>> It's whatever it is.

>> Council member, that is correct.

>> It's not?

>> It is not correct. Because the transit priority network in the as&p is primary lane. We need busoutes that's the what the map was that we passed.

>> I think we need clarity on what roads we are talking about before we vote on this.

>> Mayor Adler: Iny mind it's the transit priority work we already established. I'm going to support that transit priority network. Thers an amendment in front much us. Ready to take a vote?

>> No.

>> Mayor Adler: Okay.

>> Mayor, I supported this based on the understanding that the transit priority network was the bus routes which are 15 minutes or less which makes sense from a transit perspective.

[3:19:16 PM]

Those are high capacity. If that is not in fact what that represents, then I think we need to have a -- more of a conversation about it. Well, it could be council member Flanagan, for your area, those E ones that are on project connect, as opposed to -- as opposed to just bus routes that won't be high capacity. I think we need clarity on this.

>> Mayor Adler: I think it's those roads that have that frequency now or planned to have that frequency.

>> I don't think it's that because we don't have that in cap metro. We don't have a list THA planned to have that frequency. So I think I'd be happy to set this aside so we can get some clarity. But obviously, I had a misunderstanding on what those were, and it's not clear. So, we need to have some -- could we set it up aside.

>> Can we have a motion to table this? It doesn't matter because it's high priority transit line. If there's people that want to put this aside. There's a motion to -- you have a motion to table or set it aside?

>> Mayor, we don't know if it's high capacity route. What's come up in front of us, now we're not sure if transit priority network means a high capacity route it means transit priority. That's enough for me.

>> Yes, council member?

>> M Adler: We have a motion to table this. Is there a second to the motion to table? Is there a second to the motion to table? Council member Renteria seconds the motion. Yes discussion on motion to table? Council member alter?

>> This might be relevant, the base fee which we're seeing up here mapped directly from project connect from those routes 15 or less, but then council member Flanagan added a few he wanted to be in the transit priority network that were not already receiving that service and I believe there were a few in Flanagan's district he wanted it was palmer and I forget what the other one was.

[3:21:32 PM]

There were two from his -- working with his constituents he wanted in there which will be impacted by his choice. Those are two H put in there. I'm not aware of any transit priority network things that were put in other than those T two --

>> Okay. >>

Mayor Adler: Are you okay with that in then?

>> Yeah.

>> Mayor Adler: Let's continue on. The question is whether we add words high capacity routes. Let's take a vote

>> Tovo: We can take a vote but I'll have it as an alternative if this fails. Those in favor of the amendment raise your hand? Tovo, pool. Council member alter?

>> I'm abstaining because there's other points that concern me.

>> Mayor Adler: That amendment does not pass.

>> Tovo: I have another amendment for this same point but I'll bring it forward when I find it. Let's continue on where we are. We just had

>> Tovo: 3, 14 was withdrawn that gets us to your a-3 in sub section C where you added the word especially.

>> By the way, in answer to your question earlier, the pinned document does not incorporate the most recent fixes that staff made. There were five of them. I'll point those out as we get to them. The first one was on page 3. If you look at a, the section on nccds, where it says current context -- ends with current context of Austin's transportation needs, period they should have the words in addition to analyzing the extent to which nccds violate missing middle housing.

[3:23:41 PM]

At language was earlier adopted and hadn't been picked up by staff first and we didn't pick it up when they pointed it out. Am I asking a question?

>> Mayor Adler: Yes.

>> At the end of the day when we have a final document I'm more comfortable voting on the posted version because I have not had a chance to compare the two

>> Mayor Adler: This is just a reference document, not anything we're voting on.

>> Okay.

>> Mayor Adler: Okay. Council member Tovo, are you ready to go forward on your specialty language on C or do you not want to press that? Okay?

>> Tovo: I am now ready. We had an opportunity to talk about this last week. This would cull out especially in areas but I think we don't want to -- I think what we're saying we don't want to do we don't want to do anywhere. Which is to grant new entitlements in a way that increased displacement and increase the likelihood of redevelopment of existing housing. I forgot of these -- I think one of these made it in last week and I thought that was existing housing but maybe not.

>> Especially, I think I think it was the espillya that didn'tened the other that did but I didn't have the oppo unity to go back through the transcript to double-check.

>> Mayor Adler: I think especially made it in.

>> The --

>> Especially is what I nneed. I put a pin in T wor especially.

>> Tovo: But I think existing housing -- it doesn't matter we can vote it all again. I thought existing housing got into the amendment last week. At any case. It is, as I mentioned last week. Two M dashes, two especiallies, one existing housing.

>> Mayor Adler: Okay. Council member tovo moves adding the word dash especially and adding E words existing housing comma, existitying housing multi family.

[3:25:49 PM]

Is there a second? Council member pool seconds that. Discussion? Council member Casar

>> Casar: I mov to strike the word especially from this language, and happy to discuss it.

>> Mayor Adler: Is there an am dment to strike the word especially.

>> Both especiallies? There's two

>> Casar: The first is the one I'm most concerned about. I'm happy to discuss other ones.

>> Mayor Adler: Cil member Casar has a motion to strike the first especially. Is there a second? Do you want to discuss it?

>> Casar: I think it's cle and we have consent on the dais at there's a difference between the areas getting experience in gentrification versus areas that should be targeted for more integration and should be targeted for development of new housing types so we actually get economic integration otherwise. So I think it's -- this council member tovo's amendment as it exists now makes it paragraph about the whole city when I think this paragraph wasbout gentrifying areas, what we're doing to reduce displacement in areas where there is gentrification, if, "A," when people are pushed out of their units in expasiencing gentrification, I think that's differ than in areas where we actually get redevelopment and get affordable units, for example, that we otherwise would Ver have in an area that is already expensive andux L and has serious economic barriers for getting into it. So, for me it's important to get rid of the word "Especially because this is taking care of gentrifications not treating the whole city the same.

[3:27:54 PM]

Areas gentrifying is experiences something particularnd we want to pay speciattentil to that.

>> Mayor Adler: Ok. Further discussion? Council member alter?

>> Alter: I have a different interpretation. I thought this was granting of new entitlements when you had a multi family residential development and we wanted to make sure we're not displacing or redeveloping multi family redevelopments anywhere, and I've got a number of those in my district that are market rate affordable that if you upsell em, you will get rid of those apartments which are some of the few options so as I was reading what council member Tovo was reading, to allow staff to pay attention to some of those developments, so, there's an apartment complex right across from the park in my district. It will be immediately upzoned and won't be available for its current tenants as soon as you don't pay attention to that when you map it. And so, I think that's an important addition, because there are multi family apartment that are market affordable in non-gentrifying areas that will be swept up in that. I'm open to another way to get at that, but that's what I thought this was supposed to be getting at.

>> Mayor, that's exactly right.

>> Mayor: We'll come back. Council member Flanagan?

>> Flanagan: I want to be clear nothing happens immediately. We should be very careful how we talk about what we're doing here. I support council member Casar's striking of the words precisely. I don't think the dashes mean anything although I think they're unnecessary at that point. I'm also not loving the second part of existinging especially, er, because to me this is about areas experiencing gentrification.

[3:30:09 PM]

As walked about zoning cases there's a long history of areas gentrification having entitlements than areas that have not faced gentrification. So I'm in favor of those areas that have not faced this across our east-west divide.

>> Mayor Adler: Council member Kitchen?

>> Kitchen: My concern, I was reading this area, reading this similar Council member alter said. I think we have said that we don't want to displace people anywhere. And we don't want to -- we don't want to displace low income people anywhere. Whether that's an area that's gentrifying or susceptible to gentrification. So, this is about multi family residential development. I think there's language here that addresses the concern that council member Casar raised because it has a last part of the it that says unless substantial increases in long term affordable housing will be otherwise achieved so I can point to -- here are, in the neighbors that I represent, there are older, multi-family residential development that is at a -- it's affordable right now and we need to protect those. Because they are not in gentrifying -- I don't even know what that means susceptible to gentrification. They are in areas experiencing tear-downs. One of the examples I'll get to when I get to my amendments, is an area where an older complex was torn down and replaced with, you know, smaller number of units at a higher price and that's what we're experiencing in many of our central neighborhoods, and so, I have said all along that the affordability throughout the city is something for everybody.

[3:32:17 PM]

We don't want to leave anybody behind. So, I think this is an important provision, but I don't think it should be limited to parts of town. I think it should apply anywhere that we have existing housing multi family residential development. So I don't want to say we're only going to protect people that are in affordable housing now if they are in areas that are gentrifying or susceptible to gentrification.

>> Can I switch my amendment?

>> Mayor Adler: Yeah. But everybody gets a chance to speak, too. Council member Tovo?

>> Tovo: To get back to the original question - or original concern that council member Casar raised I would concur with colleague who explained this vision as I said last week when we had an opportunity to describe it. We all said multiple times we don't want to incentivize the development of multi family properties. I'm not aware that we disagree on the fact that multi family properties that are redeveloped are going to be more costly. I think it's important as council member Kitchen said, important to make sure that this is a concern in many a neighborhood. Many of the 60,000 marketable affordable units those are all over. They are certainly in my district and in districts all over the city which may not pop up on -- as the most rapidly gentrifying. So I think it's an important provision.

>> I?

>> Mayor Adler: Council member Casar?

>> I believe we already voted on this housing. I believe that's already in there.

>> Mayor Adler: Council member Casar?

>> Casar: I don't disagree with what council member Kitchen or Tovo just said. I thought this area in particular was important to call out the very specific things rapidly happening in gentrifying areas.

[3:34:19 PM]

So, if we want -- I thought there was already somewhere else in the document. But if it isn't, if we want to pass an additional line that says existing market affordable multi family should not be upzoned unless substantial increases in long term affordable housing can be achieved I'm fine with that. I thought it was really important for us to have a sentence on its own that recognizes and directs staff to really be careful in gentrifying areas. That's where it's happening the most and most rapidly and mention gentrifying areas particularly. I thought that took away from the meaning of the paragraph. My choice is to cut the word especially, and have a sentence that talks about city wide existing marketable affordable multi-family unless substantial increases in financing can be achieved.

>> Mayor Adler: We strike the word especially. Keep especially, and add a sentence --

>> Casar: Existing market affordable multi family should not be upzone uess substantial increases in long term affordable housing will otherwise be achieved.

>> Mayor Adler: Anybody have objection to those changes?

>> I just want to -- glow ead.

>> Mayor Adler: Yes, go ahead.

>> I wanted to Clar I thought the gentrification stuff waslsewhere and this is where we're dealing with that. I am totally fine dealing with that. If it's elsewhere, too. That's fine.

>> Fine. When I saw this on its own, I think we intended it F different purposes this way we can cover both purposes.

>> I think that's a good way to go.

>> Mayor Adler: Any objection?

>> Hearing none that's adopted.

[3:36:20 PM]

>> I have my mic on. I need to wave more emphatically. I have questions about the language. There's onepartment complex that of I'm thinking about. One we're having conversation bgs. 'S an older existing apartment complex that's primarily being replaced with more market rate tments. As it stands it's currently market rate but it does need the renovation, and so in terms of the people that would live in this apartment complex, they'd beoming back to the same thing they already have which is market rate apartments only they'd be mor habitable. In which case, I'm trying to figure out how this wording would affect an apartment complex like that. The existingousing part and then unless we get long-term affordability. So with that particular complex I'm thinking of currently there's no particular affordability included in it now. In which case, if their proposal is to -- is to demolish the current apartment complex, replace it with a newer apartment complex, and everything essentially staying the same, it's going from market rate to market rate. I don'tnder the clause about including the long term affordability in instances like that. Thank you.

>> Mayor Adler: Council member Casar?

>> Casar: We were wrestling with this last year. I'm glad you came in as reinforcements to help us keep thinking through it. The question was if you have something that's already mm-3 let's say a small apartment building in which case does it make sense for it to go to a new code or something more equivalent to mm-4, mm-6 O vfu. Is something is relatively affordable now can get renovated, but maybe more expensive but not as expensive as brand-new.

[3:38:21 PM]



At which point do we go from mm3 to mm6. This is not saying whether someone can or can't redevelopment because in Texas they have the right to do that. The question is, do we go and significantly increase the entitlements? I think what we're saying here only significantly increase it if you really think you're getting a lot of affordability back. The affordability lost is -- isn't for nothing, and I have -- I mean, we've had zonings I cases where I thought affordability we're getting back still isn't very much, but this isn't saying at which level of affordability. We're letting staff go and do that. Saying don't go from mm-3 to mm-6 without asking for affordability especially if it's existing market affordable complex.

>> It does make sense but also gives me continued pause. Affordability is relative. Affordable for who? So I really am still having a hard time with this being --

>> I hear you.

>> This is my first time saying codified. Codified language.

>> Mayor Adler: Kathy?

>> Tovo: To be clear we're talking about general guidance for general planning, not -- not how we might be disposed to a particular project that's renovating.

>> Exactly.

Mayor Adler: Staff did you have something you wanted to share?

>> Lacey Patterson with planning and zoning we have a question of clarification in this direction, specifically to the term existing housing. Is that in this conversation going beyond multi family? Does that include single family housing or duplexes and beyond in this conversation, in this direction?

[3:40:27 PM]

>> Tovo: Firstly, existing housing is being voted on last week. As I mentioned. And we should not be talking about existing housing generally and especially in multi family. Yes, it's both. I think it would -- I think it's unwise to set out on a course where WRE encouraging demolitions of housing.

>> Mayor Adler: Existing housing is new language. Especially is new language.

>> Tovo: I know it says it is but that's an error. I'll go through and check the transcript, but I --

>> Mayor Adler: It was reported.

>> Tovo: I know it's noted as.

>> Mayor Adler: Regardless, it's considered --

>> Tovo: Of course.

>> Mayor Adler: Council member Flanagan?

>> Flannigan: I do not support the language existing housing. My recollection put the pin on this myself for the reasons council member tovo laid out are the reasons I don't support it. I think if we're going to create a process where we're tryin to preserve -- I'mosin L a little bit of a track of sion we're looking at but this multi family that's market rate affordable. We can get behind that. There's a question we struggled with. How long IST rkee going to stay affordable to the extent it's not prohibited of revelopment, where that affordability lasts longer where the market will provide it. Nonetheless I don't support any changes that are listed on this.

>> Mayor Adler: We'll divide this into three parts. We have three lines. The first line is he specially. We'll veotn that. The next is existusinho especially and the third line existing market affordable multi family should not be -- what council member Casar added. We'll vote for those three things one after the other. Those inavor F of including especially rse your hand.

[3:42:28 PM]

Four members alter, kitchen tovo and pool. Those opposed raise your other hand. The other seven. Next question do we add words existing housing, comma, especially. Those favor of adding those words please raise your hand H. Council member pool tovo kitchen and alter. Those opposed raise your hand. The balance of the da those words come out. Adding the last sentence council member Casar proposed along with council member tovo about existing market rate multi-family --

>> I'm sorry can you repeat what the language is?

>> Mayor Adler: Existing mark rate affordable multi family should not be upzoned unless substantial increases in long term affordable housing will be otherwise achieved.

>> I have a little bit of concern about ttha language. I just want to clarify the meaning.

>> Mayor Adler: Go ahead.

>> Kitchen: So, unless substance increases -- I wouldn't want that to imply that in -- that we can always upzo multi fami. So, I -- I'm concerned that it would be read that way. Because the unless substantial increases is so subjective, I would -- I'm trying to figure out how to address that concern.

>> Casar: I'm fine not having those fewer because last year during this process we found decreased capacity by 5,000 units. If we're talking about decreasing over 300,000 more units. Capacity. 5,000, 6,000 units for this is not worth it. I added them because they existed in other parts of the document I was trying to get consensus

[3:44:34 PM]

>> Kitchen: You're fine with existing market affordable housing, period.

>> Casar: I'm fine with that knowing november we'll deal with getting it down to what we want.

>> Mayor Adler: I like the entitlement coming with affordability. Council member Garza?

>> Garza: Is there somewhere in this document or have we defined what market rate affordable is. I don't know house staff

uses as direction.ay>> Adler: Council member Casar

>> Casar: My implied understanding I towards 10,000 preservation goal which is 80 percent or below units.

>> Mayor Adler: I'm comfortable using it and applying it in those situations again we're not deciding anything. This is general direction. It will come back and we and the community and everybody will have a chance to parse the map and everywhere in the city. Council member alter?

>> Alter: I'm confused what you were just going on.

>> Mayor Adler: We're talking about the last sentence to add section C which reads market rate affordable housing should not be upzoned. And a phrase that's also subject to discussion which is unless substantial increases in long term affordable housing will be otherwise achieved. First thing we vote on, should that last sentence this we'll vote on whether or not to add, should it include the language, unless substantial increases in long term affordable housing will be otherwise achieved.

>> Are we talking about multi family in that case?

>> Mayor Adler: Yes.

>> Alter: I want to make sure that's multi family because otherwise we're going to open up --

>> Mayor Adler: Existing market rate affordable multi family should not be upzoned unless substantial increase in long term affordable housing we otherwise achieved.

[3:46:36 PM]

>> Alter: Mayor?

>> Mayor Adler: To add that

clause in the end.>> Alter: As any process, if it's mapped and we pass it if somebody wants to come in and do something More on their property there's the opportunity for them to come and presumably we have tools to do that upzoning at that point in time?

>> Mayor Adler: Council member kitchen?

>> Kit: Ten maker of this amendment accepted the amendment. I don't think we need vote on two parts of it.

>> Mayor Adler: Once it's put on the floor it doesn't belong to the maker or the maker of the motion. So, we'll split it and vote on it.

>> Kitchen: I didn't hear that objection. Owh objected to the language that says existing market affordable multi family should not be upzoned?

>> Mayor Adler: I objected to it because I wanted -- if there's going to be net permanent affordability for it I wanted to grab as much of that as we possibly can. Let's take a vote on those in favor of adding the last clause to the sentence. Please raise your hand. I guess I'm the only one on that. Now let's vote to add the sentence unless existing market rate affordable housing should not be upzoned. Those in favor? Anyone opposed?

>> I'm confused. Are we voting on two parts of the same sentence.

>> Mayor Adler: First there's a sentence first whether or not that is a short sentence or a long sentence. And we first voted on whether it should be a long sentence. That was -- that was not passed that leaves existing market rate affordable multi family shall not be upzoned.

[3:48:39 PM]

We're talking about adding that sentence to the document.

>> Okay. I don't think it should be a period at the end of upzoned without clarification of substantial increases in affordable long-term housing will be achieved.

>> Mayor Adler: That's what I wanted to add that phrase, unless substantial increases in long term affordable housing is achieved that was the only one.

>> I want to be the second.

(Record reflect there are two people. Now we want to add existing market rate affordable multi family should not be upzoned those in favor of that language please raise your hand. >> Is it appropriate to ask a question real quick before we clarify before you vote. What you're saying under no circumstances whatsoever will multi family market rate be upzoned. Is that what I'm hearing?

>> No.

>> Mayor Adler: What does it mean if it doesn't mean that?

>> What it means is what council member Alter said. She said people always have the right like we do right now, to come to us and ask for an upzone.

>> I guess what I'm saying, without them having to specifically come and ask for the upzone. What I'm essentially saying no market rate multi family --

>> Mayor Adler: It's not going to be mapped. It's not going to be mapped otherwise they can come in and ask for an upzone.

>> It won't be mapped as part of this process.

>> Mayor Adler: Those in favor of adding the language existing market affordable housing should not be upzoned. Should we add shall not be mapped to be upzoned? Those in favor of those words please raise your hand. Those opposed?

[3:50:41 PM]

Flanagan, Ellis and STE add learned. That language is closed those others voting ay this gets to a-16 Casar this is in "E."

>> No. Which one is this?

Ayor Mdler: This would be a new "F," from council member Casar. It's about downtown.

>> What about mine? Are you looking at Casar's no. 3 or no. 4?

>> Mayor Adler: It was original a-16. I don't know what number it is now. It is in the objective second 1 objectedive.

>> I get it.

>> Mayor Adler: This is a new no F. Council member Casar proposing a cap and wrap revision should maximize potential for employment within down Dow where affording housing benefits included and calibrated. Any objection? Council member tovo?

>> Tovo: I pinned this last week and posted messages on the council member board. It's not clear what the intent is here. Are you suggesting that something other than -- I'm not sure, as I indicated in my questions, I'm not sure if you're responding to some ncer we heard last week with code draft 3 that there were potentially down zonings or things that had the outcome of down zonings or are you suggesting something else? With these?

>> Mayor Adler: Council member Casar?

>> Casar: Since we never got to public hearing on thatue instead of castinggment whether or not draft 3 lead to E down zonings or not or worked or not I want to make the intent really clear to staff that we want toimizax the employment and residential capacity downtown that's important for whole host of reasons. We heard concernat there were small sites that are less code wasn't getting us built and wasn't getting us the comnity benefits that we want but instead of saying, judging whether or not that tested out at the end of draft 3, it's just saying we want to maximize the community benefit we get from down down, the residential and employment density, affordable housing bonus, we want that calibratednd want to maximize it downtowno sites generally and on small sites undeveloped in particar.ul it's not asking for a change of downtown Austin plan.

[3:53:13 PM]

>> Tovo: That's what I want. I ask that we clarify that. And so that was exactly where I was going with it. It wasn't clear to me if we were trying to address some objections we heard last week with draft 3 or whether was addressing something other than --

>> Casar: I would say in accordance with the T --

>> Tovo: That's what I meant.

>> Mayor Adler: That goes in the end of the sentence? At the end of calibrated with affordable housing benefits included and calibrated, camera?

>> Tovo: I would probably put it with in accordance with the downtown plan. I think I'd put it there.

>> Mayor Adler: Units with downtown -- what were the words? in accordance with the downtown Austin plan.

>> Tovo: With affordable housing benefits included and bracketed.

>> Mayor Adler: So we're adding the words "In accordance with the downtown Austin plan." Any objection to that being included? >> Yes. >> Or Aya: Council member Flanagan?

>> Flannigan: I'm not in favor of the downtown Austin plan. I'm fine with in regards to the downtown Austin plan or with respect to -- some kind of other language that doesn't include other objectives that we're trying to accomplish.

>> Mayor Adler: Council member Casar.

>> Casar: Without in accordance with the downtown Austin plan --

>> Mayor Adler: In accordance with the downtown Austin plan and guidance in this document >>

Casar: It's not really old, not really new. There might be drainage stuff that's not in this plan, affordable housing plans that are here that are not that plan. These things can be the intention, and they'll bring back the best they can.

>> Mayor Adler: Any objection to that?

[3:55:13 PM]

>> O: Or possibly, yeah. I mean, I think drainage -- E nobody expects we'll not going to update drainage requirements and things like that but wouldn't object or support if the language is suggesting we remap Judge's Hill, I can't support that. The downtown Austin plan isn't -- may not be our newest plan but it was -- it was a source of lots of man hours and many stakeholders from, you know, a range of downtown stakeholders, so I don't support providing direction that returns counter to those decisions of major zoning compromises that were made.

>> Mayor Adler: I know the things that are happening in this document, if we're making reference to a document that undoes some of the other stuff we're doing here I'm uncomfortable with that so I'm going to support the language that says in the guidance of this document. I don't want to inadvertently take away something that we've worked hard to craft wording on because it conflicts with the document that is not in front of us. Council member Alter then called number Flanagan.

>> Alter: I was planning to suggest to Mr. Casar that we can change downtown to regional centers because it seems the whole point of this exercise is to implement imagine Austin and its compact and connected and the key part of that is developing the regional center. It seems we want to maximize potential for employment and residential units within our regional centers in an effort to perhaps simplify, since we just have a little bit of dance with the downtown, maybe we repeat that phrase and put regional center you know, say should maximize employment and residential units within regional center was affordable housing centers included and aligned as original phrase or work to combine that with what we just did.

[3:57:15 PM]

Regional centers domain and a lake line and a couple other ones.

>> Mayor Adler: Council member Casar?

>> Casar: Since we almost landed on the downtown thing I would like to get that out of way and talk about regional centers. I'm fine talking about regional centers but downtown stands above some of these other regional centers and its capacity for housing and employment for a ton much reasons so I think downtown is its own thing and I'm happy to talk about regional centers.

>> Alter: That's why I'm suggesting we do that instead of reopening that box instead of saying code provision should maximize provision with regional housing centers included and calibrated. I think downtown is considered a general center but I don't mind repeating it for clarity.

>> Mayor Adler: Anybody object to that change. Should maximize potential for employment and units within regional center was affordable housing benefits included and calibrated. Okay. No objection? That's included. Okay. Let's go on to the next

>> Mayor Adler: Okay. Let's keep booking. I think that gets us to my amendment number 1.

>> Kitchen: I think mine's next, in the sense we're in same space, same place. Where is yours in the document? >> Mayor Adler: It is new language. It speaks to some of the issues that were raised by Susan and others. Generally revisions --

>> Kitchen: Oh, I see. Okay.

>> Mayor Adler: Generally revisions to the zoning map should not nullify the down joining of existing use. Any objection to that? Hearing none, that's included. 'S F.

[3:59:21 PM]

We both were adding an F. This is the first F. Generally revisions resulting in downtown use. That's included. Now your amendment.

>> Kitchen: Yeah. The third F.

>> Mayordler: Which will be a G at this point, or whatever. Whatever the appropriate next number is.

>> Tovo: Mayor --

>> Mayor Adler: In fact, mine is G, now we're talking about a potential H. Yes, councilmember tovo.

>> Tovo: Mayor, before we get to the next point, I just wanted to provide my read of Susan Moffett's comment, pointing out the need for me context specificity with regard to how we're looking at transition Zones because some could result in a down joining. I just think that's an important -- she was making a ve important point that I hope we can capture through some O our later amendments about the needs for context approaches.

>> Mayor Adler: I didn't mean this was what she asked for or that addressed all the things, but it certainly addressed one pointhat she raised. Councilmember kitchen.

>> Kitchen: Okay. So --

May>> Adler: This is your amendment number 1, I think.

>> Kitchen: Yeah. It's amendment number 1, it's the first part of it. On the yellow sheet I past out it's numbered at F but it'll be an H. And this is the code provision -- this is very similar, I think I only changed one wor with what I had proposed last week, and it says -- and the word that I changed, I added the transit priority network. So it says the code revision process should provide consideration of the need to upgrade infrastructure capacity in areas proposed for increased density along the transit priority network and imagine Austin corridors and centers. Additional considerations and means may be needed in older areas that may not curntly have adequate infrastructure in place, such as sidewks,al stormwater management, water preur supply and sewage line capacity.

[4:01:24 PM]

Those are intended as examples. So it just says should provide consideration. So what that means is -- is we need to look at what we're doing in line with our infrastructure capa Ty. So in areas where we're talking about increased density, which is, you know, along our transit priority network and our iaustne corridors and centers, we need to also consider the need to upgrade infrastructure capacity am these areas. This is particular concern -- I'll just give one example, and that has to do with stormwater management . We've certainly -- many of us, I guess, I would say, in our districts, have experienced circumstances where, with infill development, there's been resulting increase in flooding. So it's not that we to that point to do increased density, it's that we don't want to do increased density and not



consider what we need to do with our investments at the same time, particularly regard to stormwater management and sidewalks, although these, you know, water pressure supply and sewage line capacity can be impacted too. So that's the reasoning behind it.

>> Mayor Adler: Okay. Councilmember Kitchen moves her -- first part of her, which is the F provision, seconded by councilmember pool. Any discussion? Councilmember Casar.

--

>> Casar: Mayor, I have an amendment to this. It starts at the very bottom of the first page of amended but really at the top of the second page. And it essentially copies what we already had in our prescription paper on infrastructure and fiscal help, because I think that it more directly relates to what we want to do with the code, which is, we want to facilitate fiscally sound infrastructure investment and we want to apply the code in strategic locations that maximize the public infrastructure investment that we already have and minimize long-term obligations and continue a site plan process that assesses the infrastructure needs and oftentimes facilitates the installation of new infrastructure.

[4:03:38 PM]

The reason I prefer this version is because, you know, I agree and understand that the staff is always taking into consideration infrastructure on the ground, but when we actually talk about mapping code, I think it's really important for us to map housing where we're going to get the most use out of the infrastructure we have and don't create the need for really expensive infrastructure that is going to take a lot of money to maintain. If there's a place we're going to have a police station, already have a fire station, and what we're missing is some sidewalks, might make good sense for us to house more housing there in order to get the development fees to develop the sidewalk and maximize the investment we've already made in the fire station and the drainage. This is preexisting language that has already been vetted as part of our process for mapping in the past and I think it will serve well here.

>> Kitchen: Can I speak to that?

>> Mayor Adler: In just a moment. Councilmember Casar moves his amendment number 4. Is there a second to that amendment number 4? Councilmember Flannigan seconds that. Councilmember Kitchen.

>> Kitchen: I would suggest that we keep both pieces of language. I think that the additional language that councilmember Casar has proposed is good language it's different than what I had proposed, and I don't -- I don't think it's a substitute. So I think the difference is that the language that I have is that the code revision process should provide consideration of the need to upgrade. So I think it's important that as part of revising the code, we consider the need to upgrade infrastructure. So I think that we're losing that concept if we delete that. So I would propose that we keep the language -- and if the suggestion is that we delete that language, I'd like to understand why. Because it just makes sense to me, and I appreciate the additional language that councilmember Casar has said, because I think that that's useful, but I don't think it's a substitute.

[4:05:43 PM]

>> Mayor Adler: So here -- tell me if I understand this correctly because I -- in answer to your question, councilmember kitchen, in answer to the question where we map things, I know people have said don't map the transition zone here because we don't have, say, the utility infrastructure top something. And sense is that that's not -- it's really important to make sure that we don't let somebody build if there's insufficient utility structure or something to be able to do that, but the way to handle that is in the site plan, as opposed to the mapping. So seems to me that the better thing to do is to map the use where the U are appropriate and if somebody can't or it's unsafe for someone to build that use or tie into that use, then it can't get past the site plan stage, seems that's the more appropriate place to handle that.

>> Kitchen: But that's not what I said my language doesn't say don't map those areas. Nowhere does it say that.

>> Mayorer: And that wasn't my concern, I just read it THA way. Explain to me again, would still map it there even if there was insufficient sewer line so tell me what your language means again.

>> Kitchen: Well, you know, there are a number of ways to implement, so it just says the code revision process should provide consideration. So there could be some areas where you would say we can't, there's no way in which we can come back and address an infrastructure need. Now, that -- I probably not likely for sidewalks but I have seen circumstances where you just can't fix an infrastructure issue. Do you need -- we need to consider that as part of the mapping process. I am not saying don't map. I'm saying we need to consider, at the time that we're mapping, what the infrastructure need is.

[4:07:46 PM]

And I think that that's really important. So -- so that's what I'm trying to say here. And it's not -- and we should consider it at that time, not later. Other words, we should not -- we should not just map everything with no understanding of the impact on the infrastructure.

>> Mayor Adler: Any further discussion on this? Councilmember Garza.

>> Garza: I understand the -- what you're trying to get at, councilmember kitchen, but I don't -- I guess this makes it sound like there is not something we consider, anyway, and I guess I'm thinking about the downtown station and the ongoing discussions between CapMetro and the city because the city was asking them to increase the capacity, I believe, of a drainage pipe.

>> Kitchen: Right.

>> Garza: So this is stuff that we do -- we do this already, it's just not -- I mean, I don't know how we ask our staff, you know, map this, but also consider that the infrastructure might be old. I think they do that, and then when the time comes -- we're not going to be digging up streets and, you know, there's a process to how we increase our capacity in all these -- in all these different ways, whether they be sidewalks or drainage pipes. So it just seems another goal-ish statement, but I don't know what it does, exactly.

>> Kitchen: Can I provide an -- can I provide an example?

>> Mayor Adler: Hang on a chance. Councilmember pool, then councilmember harper-madison.

>> Pool: I might be able to help little bit. The reason I think both of insertions work together as well is that we have to be mindful of the current infrastructure upgrades that are necessary. That's part of our planning. That's programmatic and operational and we do that every year and it really is ongoing throughout our city, based on what our resources, about the financial and staffing are available, and we can't overlook that and we can't stop doing it.

[4:09:52 PM]

We have to know what we have in place so that if we are going to increase the number of people living in a certain area, which will have associated impacts on our wastewater lines, for example, we have to make sure they're right-sized. On the other hand, we also recognize that the city will continue to grow. Document is purporting to take us 30 years or so out in the future, and we are signaling, I gather, from councilmember Casar's language, that he's looking for private interests to come in and help us with our infrastructure investments, which is kind of new. I think the city has mostly paid through bonds for our waste water line, right-sizing, for example. I could be wrong, but I'm pretty sure that's why we pass bonds to pay for waterline replacements. So if councilmember kitchen could tell me if her language is embracing the current situation to give us a baseline for how things would be affected with additional density, then if councilmember Casar could tell me if his is looking further down the road and introducing private financial backing for our infrastructure, that would be really helpful to me, and maybe lead us to a place where we could do what councilmember kitchen is coming, which is to retain her language and add councilmember Casar's.

>> Mayor Adler: Councilmember harper-madison.

>> Pool: I was hoping councilmember kitchen could answer my question, then councilmember Casar could answer my question.

>> Mayor Adler: Okay.

>> Kitchen: Okay-

>> Mayor Adler: No, no, no, wait, wait, wait. You asked a question of councilmember --

>> Pool: I asked a question about intent of councilmember kitchen and then I asked a question of intent of councilmember Casar, to aid me in my understanding because I think that we may be able to adopt both of these bits of language.

[4:11:55 PM]

>> Mayor Adler: Okay. You can address your inten

>> Kitchen: My intent, and I can give an example which C answer councilmember Garza's question also -- I'll give you an examp. This relates to flooding and infill development. So currently in the south Lamar ighborhood -- neighborhood area, there's been significant infill development, which is fine. That neighborhood has not objected to that. But at the same time, that has caused decreed flooding and there's been no -- there's no -- there's no assessment of the impact on increased flooding in our ditelopment process. And part of the rean for that is because we continue to ok at site by site and not cumulative ef ct. So we do not he in place right now a process to address the impact on infrastructure. So my intent he as to say, as we go down the road to -- I mean, essentially, we are -- we're looking at rezone of the entire city. So as we go down the road of doinghat, T we need to not repeat the mistakes of the past, and we need to do that with an undersnding in mind of what is needed from an infrastructure perspective. If we do not do that, we're going to continue with what our actice has been in the past, is we just allow development, we rezone, we allow development, we allow upgrades, and then later, years later, in some cases, we address the result of it, which in some cases has been flooding.

>> Mayor Adler: Okay. Councilmember harper-madison.

>> Harper-madison: I don't believe that was the end of it. I think she was asking for ificarion on intent from both cilmunbers kitchen and Casar so I'd like to finis that up if we may.

>> Mayor Adler: Councilmember Casar.

>> Pool: Thank you.

>> Casar: The answer on me isin that I think inwo parts, one, we need to plan our housing capacity where the infrastructure investments will be fiscally smart so we can use our infrastrtureuche best that we can, and then second, that we Ed to continue to get money through the site plan process to invest I infrastructure.

[4:14:16 PM]

I think -- and by the crossout, what I was trying to do was word off the implication, whether it's intended or not, and whether somebody reads into it or not, that we shouldn't map in places where not all of the infrastructure I immediately in place because that actually isn't the best infrastructure or mapping strategy.

>> Mayor Adler: Councilmberem harper-madison.

>> Harper-madison: So there's a couple things here, and I wanted to start by saying, while I appreciate the need for better infrastructure, especially in my district in east Austin, we need it, like, yesterday, si understand and appreciate the intention there, I just don't know that the rewrite of our land development code is the place to dresad infrastructural needs. I think there are other opportunities for us to champion that initiative. Additionally, the concern I have about couilmber Casar's contribution to the dlogue -- I guess it's two parts there also. And correct me if I'm wrong, so I thought all the flood migation and some of those other considerations were a part ofthis site planning, in which case this

seems like duplicative effort. Then additionally, I have a lot of concerns about the piecemeal nature that I think we ultimately would get from relying on private dollars to invest in our city's infrastructure. So -- yeah.

>> Mayor Adler: Councilmember Garza, then councilmember Flannigan.

>> Garza: Yeah, I just don't -- I don't know who wants to help answer this question, I don't know if it's true that we don't consider the impact of development. I mean, streets are designed a certain way with assumptions made on -- I'm assuming that has to do with our impervious cover limits. Can you speak to that?

>> Sure. So each project that comes in, it's going to have to look at its own impacts. And so if you have a redevelopment project going on in the south Lamar area or what have you, that would look at its impervious cover, drainage system downstream and so forth, it would have to basically adjust itself so it didn't cause what we call in the flooding world, adverse impacts.

[4:16:25 PM]

One of the issues that's going to happen is you've got an individual project that would hold the line, our regulations do not allow you to increase flooding off that site from its baseline condition. What will end up happening, in south Austin, unfortunately, has gotten bombed a couple of times with sort of record flooding and so forth, so you have a lot of overlapping things going on where people are seeing a lot of development going in, they're seeing this incredible rainfall, there's flooding, then it turns out that a lot of the drainage system can't even handle what we call maybe a two-year or five-year flood. Those are already overwhelmed. The development, if it's going in, is not necessarily adding to the problem but people kind of associate it with the problems. So, yes, we have a problem, we need capital dollars, we need to address that larger system, and then, you know, we're hearing you guys talking about, you know, going above and beyond on the -- on this as well. So --

>> Harper-Madison: Thank you for that because I'm concerned about when we're saying things like all this infill development is causing all this flooding, because you're right, it's been these historical rainfalls where you're getting double-digit inches within a couple of hours. And so, yeah, I just -- we just need to be careful --

>> Mayor Adler: Councilmember Flannigan.

>> Flannigan: Thank you. Mayor Peterson was thinking very much the same thing, so staff has addressed my question, but I am also concerned about how we talk about the process that we're in and saying, you know, I don't think it's a good idea to say that we allow development and then don't account for flooding, or that all of this stuff -- you know, we started this two weeks ago on Tuesday, catching myself saying extreme versions of language and trying to pull myself back, and I want us to remember that because that's -- it's not helpful to the process for us to make these blanket statements about what is or isn't happening, especially when it's related to what happens under the current code. We've already adopted a ton of language that talks about making the impacts of development improve more than it impacts development now per the flooding.

[4:18:40 PM]

So I like councilmember Casar's language. I'm not entirely sure councilmember kitchen's language is incompatible, and I mostly kind of curious what's staff's -- what direction do you think you're getting with this? Because if the two can live together and staff's interpretation is sufficient, enth I'm ready to move on.

>> Um gosh, I'm not sure if I'm going to be able to make a determination about that. Yeah. I mean, I think we have some of the strongest drainage regulations in the state, and frankly in the country, and we're in a flash flood alley situation we get intensive rains here, and we have high staards even amongst that so we're attacking these pretty aggressively. There are other things we can do. I'm hearing you guys -- earlier you wrote in some language that would address that. So I think we're going to do our best to try to do the individual -- you know, to have our rules handle individual projects well, but I think the qution --

>> Mayor Adler: I think the question is, are you comfortable knowing how to map? Some people are afraid that that language will prevent you from mapping what you think you need to map because there's sufficient infrastructure present. And, tforere you won't map what you think is otherwise needed; or is this the kind of thing that you're being asked to take into account considerations that are routinely tenak into account when you're mapping, re gnizing that site planning has individual properties, can either develop out or not develop out. That's what the council is wrestling with right now, I think, is how you're -- how this either handcuffs you or doesn't handcuff you with respect to mapping the city in a way that it is appropriately mapped. I think that's the question.

>> Right. And we believe that we have a system now that holds the line on new additional problems.

[4:20:43 PM]

It sounds like you guys are asking us, and we'll make sure I'm interpreting this right, that you' looking for maybe an additional ee on that, I mean, pushing that more forward.

>> Mayor Adler: I think it's theesqu tion of the additional edge element.

>> Yes.

>> Mayor Adler: And then how much you're going to -- that you feel like you have to follow in an additional edge or not. That's where I think people are wrestling with. Councilmember Ellis, did you have your hand up?

>> Ellis: I just wanted to make a quick statement, I think it echoes some of the statements we're already mean, but I think where we have historically built, we should be looking at expanding our infrastructure in ways that are better for air quality and greenhouse gas emissions instead of saying beuseca of the nancfil burden of repairing or expanding certain utilities, that we should then put it somewhere else.

And I don't know that councilmember kitchen intended for it to be that way. I think it really is a matter of collecting data, but when I first read this, it seemed like there was an implied, aid those areas, and I don't think that's great floor environmental health or increased housing supply.

>> Mayor Adler: Councilmember kitchen.

>> Kitchen: Let's talk about -- first off, I just want to say I -- I don't know THA anybody intended to say this, but I did not verstate, nor did I imply something that is untrue with regard to flooding. I wouldn't do that. I'm not trying to -- I'm not trying to do things that have been suggested about -- you know, about -- about flooding. So let's get -- and I apologize if I wasn't specific enough.

>> Mayor Adler: That's okay.

>> Kitchen: I'm talking about situation, and I'm talking about it accurately. So that is the situation in the del curdo area. The difference is, in that area, there was infill, and it did cause flooding, and THA is accurate and true.

[4:22:50 PM]

So -- but what happened was, the -- what we had in place for the del curdo areas was looking at the impacts of individual properties, it was a cumulative impact. And so staff went back and there were actual changes made to try to address that. So that's an accurate statement and not an overstatement of the cause of flooding. So -- and so, that was the example that I had in mind, and all I'm -- and I know what staff since that time have been working on changes so that that -- I think you've -- there have been some changes, but I'm not aware the land development code actually having been changed to address the cumulative impact. The other thing that happens in our land development code is, you know, we can have folks -- we can have payment, you know, like through the rsmp or through the transportation impact fees and things like that, but what we find is that a lot of times those don't cover the full cost of infrastructure. So, you know, perhaps we can -- perhaps we can work on this language to address the concerns that people are raising. I'm just saying that it is prudent for us, at the time of mapping to understand what we're mapping because we don't have in place processes THA are going to prevent some of the problems that we've had in the past. So that's all I'm talking about. So if people are concerned, perhaps we can work on the language here.

>> Mayor Adler: Okay. Let's -- let's do this. We can always come back later with additional language. I'm going to break this into three votes. The first vote is approval of Casar's language which no one has objected to so far. And then Ann has two sentences in her first paragraph. We can vote on each of those in turn. I'm going to vote for the first one, I'm going to vote against the second one. And over the course of the time, if you want to make proposals with different language, other, we can certainly do that, but I would suggest we take a vote and go on to the next item.

[4:24:57 PM]

>> Kitchen: Well, I object to the lining'd like to suggest something. So councilmember Casar talks in terms of continue including a sitelan process. That is -- that's not the case right now, so perhaps we should say continue including and enhance our site plan proce that assess the infrastructure needs of developments, including the cumulative impact on infrastructure of developments. So that would get to the concern that I was raising about del o,rt if we could make those changes to councilmember Casar's language because tous say continue including a se plan process doesn't address all of our needs.

>> Mayor Adler: Or include and -- take out -- include and enhance site plan process?

>> Kitchen: I was going to say -- I'm okay with continue, but include and, a-n-d, and enhance a site plan process.

>> Mayor Adler: Okay.

>> Kitchen: That assesses the infrastructure needs of developments, comma, including the cumulative impact infrastructure of developments. And then you can go on.

>> Mayor Adler: Okay.

>> Kitchen: I think that gets -- I mean, I'm kind of doing this on the fly but I think that --

>> Mayor Adler: I'm okay with this because it moves us to the site plan process and I think that's where it needs to be. So continue and include --

>> Kitchen: Continue and --

>> Mayor Adler: Through an enhanced?

>> Kitchen: Yeah continue including an enhanced --

>> Mayor Adler: And enhance a site plan process that assesses the infrastructure needs of developments, comma, including the cumulative impact of development, and often --

[4:27:02 PM]

>> Kitchen: I wouldn't say often

facilitates. >> Mayor Adler: And facilitates.

>> Kenitand facilitate the installation of new infrastructure funded in whole or part by new development.

>> Mayor Adler: Okay. Continue and enhance a site plan process, continue and enhce a site plan process tt assesses the infrastructure needs of developments, comma, including the cumulative impact of development, comma, and facilitates the installation of new infrastructure funded in whole or in part byhe new development.

>> Kitchen: Right.



>> Mayor Adler: Are you okay with that? Are people okay with that amendment with those changes? Without hearing objection, that's included. So we're with just going to go with that language.

>> Kitchen: Oh, no, I haven't given up on the first part.

>> Mayor Adler: Okay. Let's take --

>> Kitchen: I'm sorry. Go ahead.

>> Mayor Adler: No, go ahead.

>> Kitchen: I would like to understand better how we might fix the language we had included to address people's concerns.

>> Mayor Adler: I think just fixed it in your continue and enhance a site plan.

>> Kitchen: No, I didn't fix my concerns. My understanding -- because what I would like this not to be only a back-end process. I think that as we -- as we go through our process, we need to consider it up front. So I just need to understand what people's objections are. Is there a chance that we -- that this says we won't map? Is that what the concern is? Help me understand what the concern is.

>> Let me clarify exactly because I might have some concerns.

>> Kitchen: I'm going with the language that I was proposing that was deleted.

>> The F or the G?

>> Kitchen: The F. So help me understand what the objection is to that language.

>> Harper-Madison: I think my objections are two-part.

[4:29:03 PM]

>> Kitchen: Okay.

>> Harper-Madison: When I read this -- especially I'll read the part that gives me pause. Additional considerations and means may be needed in older areas that may not currently have adequate infrastructure in place, such as sidewalks, stormwater management, water pressure supply, et cetera, et cetera.

>> Kitchen: Okay.

>> Harper-Madison: There are two things that give me pause there. One, it sounds to me as though we would be hesitant to create new development in areas that potentially have older infrastructure.

>> Kitchen: Okay.

>> Harper-Madison: Which I think would be short-sided. The second part of that is -- and this could be applicable to both parts because I'm taking issue to both parts, F and G. I really -- especially after having had the opportunity to meet with multiple members of staff and sort of watching how their process

works, this just -- it seems cumbersome. It seems like is already being addressed by way of the site plan process, in which case I don't know why we have to have additional measures and more direction for staff.

>> Kitchen: Okay.

>> Harper-Madison: I don't see why it's necessary. That was my concern.

>> Kitchen: Okay.

>> Mayor Adler: Are we ready to take a vote? Councilmember Kitchen offers the first paragraph of F. Those in favor of that provision, please raise your hands. Councilmember Alter, Kitchen, Tovo, and Pool. Those opposed, please raise your hand. It's the balance of the district that paragraph does not make into the Casar amendment as amended does. Let's go to the next item. I think that it is -- I'm trying to look here. Your second one, which is, what, G, Delia, could you take this for a second?

>> Garza: I'll just -- those in favor of -- do you want the address G? Oh, I thought you already. Sorry.

>> Kitchen: So this is -- it's on my amendment and it's under number 1, and it's adding a new G.

[4:31:07 PM]

And this one is -- it says to the greatest -- to the greatest extent --

>> Garza: Real quick, councilmember, do you have a second? Does somebody want to second? Councilmember Pool second.

>> Kitchen: It says to the greatest extent possible, include code restrictions, property zoned multifamily will develop with mixed family and not take the form of single-family structures, at the same time, however, make allowances for existing single-family structures that become non-conforming to be maintained -- remodeled, or substantially expanded as long as they are not redesigned or rebuilt. First off, thank you to staff, we worked with our staff on this language, so this language was something that we worked with, with staff on. It's designed to address the problems that we have under current code, and there's an example that's the exhibit for 1 that you all have. It's on a white piece of paper and this is the example. And the best way for me to describe it is just to very quickly speak to the example. Basically, this was a case where we had existing multifamily that was redeveloped. We essentially went from 21 units of market-rate affordable housing down to six. And what happened was, it was multifamily, but when it was developed, it was developed as separate single-family units under the same zone. So the way that our zoning category is right now, you can develop a multifamily with less units available and as separate units instead of -- instead of keeping the multifamily approach.

[4:33:15 PM]

So this is just suggesting that when we look at our -- when we look at our code, our zoning code, that we probe that if a property is zoned Z for multifamily, it will stay as a multifamily and not take the form of single-family structures. And I can -- if perhaps the staff can speak much better to this than I can in terms of this premise that exists right now under our current code.

>> Casar: Sorry, I'll second it.

>> Garza: Councilmember Pool seconded it already.

>> Casar: Okay. Then I have one really small, quick question.

>> Garza: Okay.

>> Mayor Adler: Councilmember Casar.

>> Casar: Both great chairs. Because you have the word "Form" of single-family structures, I think the meaning could unintentionally be unclear because I think what you mean by form, you don't mean I can't be replaced by a structure that looks like a big house. What you mean is you don't want it to become single-family detached housing.

>> Kitchen: Right.

>> Casar: Bought because we're using the word form. Fine a bit, if you don't mind, I would just suggest we say it will develop with multiple family, and not become detached single-family house.

>> Kitchen: Okay.

>> Casar: Because I think that's what you mean based on the exhibit.

>> Kitchen: I'm looking to staff, but I think that works. Yeah, that should work.

>> Mayor Adler: Help us with some direction.

>> If I could just clarify, by detached single-family housing, you mean single-family use for the property, not necessarily like -- it could increase in the number of units but be in the form of single-family detached condo regime, something like that?

CAS>>: Sure. I think what we're trying to get here that we -- if something is multifamily, what you're saying is, you want it to stay real houses or for it to be fourplexes, which might have house scale or house form, so I'm just trying to get away from that word "Form," because then it -- I think we all agree on the intent, and I want to get this passed, but I wanted to make sure we look back to the document and it makes sense.

[4:35:24 PM]

And councilmember Flannigan may know how to fix it better than me.

>> Mayor Adler: Councilmember Flannigan.

>> Flannigan: This was something that we had proposed as a minimum unit yield and that different Zones may be able to set a floor under which you have to produce a certain number of units. it won't matter what the building form looks like, but if you've got a certain level of multifamily, you might have at least four units, but you might get 12 units, depending how you zoned it. But that was the way some of us approached it.

>> Kitchen: You want me to speak to that? >> Mayor Adler: Go ahead.

>> Kitchen: I understand what you're saying, councilmember Flannigan. I think this language gets us to the same place, if that's

T'>> Flannigan: I think what staff said about single-family use gets us there, but I think it might -- we might want to be -- give the staff the opportunity to say that different intensities set a different floor. So if you have an adjacent multiple family zoning, you wouldn't want to allow a fourplex because you're looking for something that's got 16 units or more, or hinge to that effect. So I would like to see staff come back with options that say what the minimum unit yield is in each zone, and that would help determine where we're trying to get density and where we're trying to not allow kind of a wealthy homeowner to come in and bulldoze an apartment complex and put in a mansion.

>> Kitchen: Would you councilmember -- I ask a question?

>> Mayor Adler: So what was the language? I guess Greg's gone, but instead of form, was that hitting that?

>> Kitchen: He said detached --

>> Mayor Adler: And N --

>> Flannigan: Single-family detached or something like that.

>> Mayor Adler: Single-family detached structure.

>> Kitchen: Could I ask a question? Councilmember Flannigan, perhaps we can add a sentence with your link so they can come back with several options. I wouldn't want to replace this, but if you're -- if it's okay, we can add your language to? >> Flannigan yeah. I think that would be great to add a sentence that says staff should provide options for minimum unit yield based on zone.

[4:37:27 PM]

And those will be easy numbers for us to change later if we want to change them later.

>> Mayor Adler: So there would be two changes to this. It would say and not become an attached single-family structure?

>> Kitchen: Detached.

>> Mayor Adler: And not become a -- not be a detached.

>> Kitchen: Not just a, not take the form detached single-family structures.

>> Mor Adler: Okay. And not take -- and not become detached single-family structures. And not become detached single-family structures, and at the end of the sentence it would say staff should provide options for what?

>> Kitchen: Minimum -- I think he said minimum unit -- councilmember Flannigan? Minimum unit yield? Is that what you said?

>> Flannigan: Staff should provide options for minimum unit yield based on the zoning.

>> Mayor Adler: Based on what?

>> Flannigan: Based on the zoning. I don't know how to end that sentence in the most artful way but --

>> Mayor Adler: Based on the site.

>> Flannigan: Based on the zone.

>> Mayor Adler: Based on the zone. Okay. Those two changes, not become detached single-family structures and staff should provide options for minimum unit yield based on the zone.

>> Kitchen: I see >> Mayor Adler: Does that make sense to you, that language?

>> That makes sense. I would only point out that maybe the part about single-family structures is just a little bit limiting, and maybe the focus on yield is very helpful, but, you know, flexibility in terms of the resulting form should be there.

>> Mayor Adler: So what would you suggest? Development -- it will develop with multifamily and not become what?

>> Without a reduction in unit yield based on the zone, something like that.

>> Kitchen: Could I -- think you're changing the meaning of what I had intended here.

[4:39:30 PM]

So what I'd like to do is -- and, you know, councilmember Casar, I hear what you're saying about detached single-family structures, but we may end up with the same problem if we specify only detached. So I think it would be best if we kept the -- not take the form of single-family structures, but then added the sentence that councilmember Flannigan spoke to. And, again, this is just direction to bring us back options. So that way, we're covering the whole range of options.

>> Casar: I think staff understands that when I form, we are fine with a sixplex that takes a single-family form.

>> Kitchen: Right.

>> Casar: It's just the way you used the word form here, I thought it was going to be easy. I've dropped it.

>> Mayor Adler: So we're going to keep the language the way it is?

>> Kitchen: Yes.

>> Mayor Adler: Okay. So all we're doing then is adding the last sentence. Staff should provide options for minimum unit yields based on the zone. Is that okay?

>> Casar: Yes.

>> Mayor Adler: Any objection to that? Yes. Councilmember Garza then councilmember tovo.

>> Garza: I just have a question because I'm confused about the example and if the language addresses that because, I mean, essentially, if something is zoned -- like in the example, what they did is they tore down the lot next-door that was the only multifamily, was the one next-door that was zoned multifamily, they tore that down and built a iteme-gl family, but can we -- you know, with our legislative constraints, can we tell someone they can't go lower if it's within their zoning? We can do that? So it was -- if right now it's zoned --use XC -- like for a fourplex, we can say you can only put a fourplex there?

>> Through the land use table, which enables the uses per zone, we can specify what is permitted and not permitted. So if we don't want to allow single-family use in a multifamily zone, we can do that for sure.

[4:41:34 PM]

>> Do we do that now?

>> Today's code, you can build single-family in multifamily Zones. In draft 3, for the most part, you could not.

>> Garza: Okay. Thanks.

>> Mayor Adler: Okay. Yes, councilmember tovo.

>> Tovo: I just want to make sure interpreting properly that make allowances for -- by saying that you're saying WRE going to enable those single-family structures to -- to be maintained. Make allowance is another way of saying enabling. They will definitely have the ability to do that.

>> Yes.

>> Tovo: Okay. Thank you.

>> Mayor Adler: Okay. So we're okay then with the -- with the F that was being added? Or the H, whatever that is? I. Itoing to be I? Allree' doing is adding that last sentence.

>> Kitchen: Uh-huh.

>> Mayor Adler: Are we okay with that? Seems to be no objection so we're going to go ahead --

>> Can somebody read that for me again?

>> Mayor Adler: Staff should provide options for minimum unit yield based on the zone.

>> Harper-madison: An that sentence is following what's currently there, so longest they are not demolished or substantially rebuilt?

>> Mayor Adler: Yes. It comes at the end of the build period then that sentence gets added. Correct.

>> Harper-madison: So if I have problems with is language, where I express that is during the vote. Correct? Because I do have problems with the demolish part.

>> Mayor Adler: Now would be the time to rise that.

>> Hardison so my concern is, you know, given sort of my limited knowledge I don't know if there's somebody who can maybe speak to this, but it just seems like sometimes it's less expensive to demolish the structure and start again, and so the part where it says so long as they're not demolished, gives me pause.

[4:43:35 PM]

>> Kitchen: Do you want me to speak to that?

>> Mayor Adler: Go ahead.

>> Kitchen: The business? Is relating to structures that are non-conforming. Non-conforming meaning that if we zone an area for a multifamily, as part of this process, for example, if we zone an area multifamily but there's on the ground, single-family homes there now, that means this would be non-conforming because their existing use does not conform with the new zone that we've zoned them for. This just says that they can stay in existing structure as long as -- you know, they can maintain it, remodel it, potentially expand it, but they can't demolish it. So this goes towards us -- if we're upzoning in part of the city right now because we're trying to get a multifamily -- more multifamily or more missing middle, so if we -- this says that if we upzone a lot to multifamily --

>> Harper-madison: Uh-huh.

>> Kitchen: -- But what is sitting on that lot right now is a single-family, that person in that single-family can stay in their house and they can stay in their house as a single-family house, but once they tear it down, they have to comply with their zoning. That's what it's saying.

>> Harper-madison: Okay. So I mostly understand what you're saying, but I still have similar concerns in that -- I mean, well, I hate to say it like that, but ultimately, my thought around what we're doing here was to simplify the code that just seems like unnecessary complication. It also feels to me like -- so if what we're trying to accomplish here with the missing middle is both small, low scale missing middle,

sort of moderate size missindleidnd up up to larger sizeng middle, I'm concerned about -- at the same time, make allowances for existing single-family strsrre that become non-conforming.

[4:45:36 PM]

It seems to me as though, lik addressing the notion of non-conforming would be addressed by jt sous forth simplifying the direction here.

>> Kitchen: Well, I guess maybe we could simplify the language, I'm open to that, but really, this addresses, you know, what happens. I mean, we are -- we've adopted language in here about transition Zones that require upzoning. So what happens to the person in that house? That's really -- this is trying to address what happens to a person in a single-family house if, you know, for those places in town where we're going to upzone, which is what we said we were going to do, what happens to them in the meantime, that's what this is aempting to address.

>> Mayor Adler: Ever ever.

>> Harper-madison: What you mean what you say what happens to them.

>> Kitchen: They don't have to tear down their house immediately. If you're two or three blocks in what's been proposed in the transition Zones, if we're proposing two blocks in, what's existing family house right now, we're saying that -- iea mn, we're saying in question 4 tt we have to upzone that. So I'm living in a house that is no longer a single-family house zoning, so what happens me if I want to add a deck or if I want to do something to my house? Can I do that and still be a single-family house? This says, yes, you can. It says I don't have to -- I don't have to now become multifamily just because we zoned me multifamily.

>> Harper-madison: Right. I think we might even be saying something relatively similar.

>> Kitchen: Okay.

>> Harper-madison: So if there's a single-family house there now that gets upzoned, it sounds to me as though they have the option of --

>> Kitchen: Right.

>> Harper-madison: -- Expansion, but don't necessarily have.

>> Kitchen: Right. This is just saying they don't have to. Oh you're saying -- oy, I see what you're saying. This suggests if you demolish the house, yes, you have to do upzone.

[4:47:39 PM]

>> Harper-madison: If you demolish the house.



>> Kitchen: Right. You can do anything else to the house except demolish it. That's what this language suggests.

>> Harper-madison: So if you were -- what you're saying, if if you were to demolish the house or substantially rebuild it and you were in a zone that's been upzoned, the only thing you can do, as opposed to rebuilding your single-family home, is do multifamily.

>> Kitchen: Yes, that's what it says. I mean, how else are we going to get to our transition zone mapping?

>> Harper-madison: I wasn't being content with asking for clarification.

>> Mayor Adler: How does this differ from existing? Right now, if you're in an area, the property gets upzoned, if you remodel are you allowed to do these things to it?

>> Our current code, when a property is non-conforming, which means, just for clarity sake, if you were -- complied with the rules when you were permitted and built but then the rules change, so you have a property that would not be allowed in that zoning today, then our code includes restrictions on the extent to which you can modify it. And I think what councilmember kitchen's language is intended to do is direct staff to allow perhaps a greater degree of modification to those single-family structures that are rendered non-conforming by virtue of transition zone upzoning. So they would have a little bit more flexibility, potentially, and staff will have to look at this when they bring the code C back, but they would have a little bit more flexibility to expand their single-family home, but to kind of the larger point is once you cross a certain line in terms of modifying the structure, then it has to come into compliance with current code, which would mean, in the instance we're talking about, it would have become a multifamily structure. So once you demolish that with -- that property and you want to rebuild, it would have to be multifamily.

[4:49:45 PM]

>> Mayor Adler: Considering it's going a little bit farther than where we are, existing, I think I understand the new councilmember pool.

>> Pool: I just wanted to clarify, I think what councilmember kitchen is saying, you wouldn't be forced to upzone yourself. You could stay in your home and you could expand it probably more and renovate it more than what current -- we currently allow, so this would allow people to stay in their neighborhoods and -- rather than be forced to move.

>> Mayor Adler: I think we're okay let's move on to the next one. Okay? The next one I think that we have here is -- I think we're down to code next -- code text rather. Code revisions to provide additional housing capacity should include, and I think Mr. Flannigan, you had the first one of these.

>> Flannigan: Yes. And we started to work on this last Thursday, and so the language is not just this simple, as much as I would love it to be this simple, but I think something to the effect of staff should bring back options -- I'm trying to find the thing that we had worked on. Do you have it?

>> Casar: At least what my staff wrote down said, and the transcript was options for reducing minimum lot size and width to achieve goals that also were in this document while also considering public safety concerns.

>> Mayor Adler: Are we okay with that language? Please read it one more time.

>> Casar: Options for reducing minimum lot size and width to achieve the goals elsewhere in this document while also considering public safety concerns.

>> Mayor Adler: Okay. Any objection to that? Yes. Councilmember Tovo.

>> Tovo: Yeah, my amendment number 2 proposes a change to that I think these are very different -- very different directions when applied to developed areas, versus undeveloped areas, in considering changing lot sizes in existing neighborhoods that incentivizes the subdivision of existing lots, demolition of existing housing, and the destruction -- or redevelopment of those.

[4:51:58 PM]

So my proposal is to -- the language, undeveloped Greenfield or undeveloped infill tracts.

>> Mayor Adler: Okay. So we have the amendment being offered by councilmember Flannigan. Is there a second to his amendment?

>> Flannigan: To my amendment in.

>> Mayor Adler: Yes. Is there a second to the Flannigan amendment? Councilmember Garza seconds that. And then have an amendment to that amendment where councilmember Tovo is proposing at the end of that sentence to put in that quantifier, undeveloped Greenfield or undeveloped infill tracts. What is in front of us now is adding councilmember Tovo's phrase to the end of the Flannigan language. Discussion?

>> Flannigan: Do we get a second?

>> Mayor Adler: Was there a second to what councilmember Tovo suggests? On the phrase, undeveloped Greenfield or infill. Councilmember Garza seconds that. Okay. Discussion on adding that phrase at the end in other words, it's limiting the -- we're asking staff bring back options for minimum lot size and width to achieve the goals elsewhere in the document, while also considering public safety concerns, and councilmember Tovo is saying only bring us back those options in undeveloped Greenfield or undeveloped infill tracts. Discussion? Councilmember Casar. >> Ar: I'm going to support that. I support the Flannigan language as crafted last Thursday. In particular, I think in existing places it could be a really interesting tool to find ways for folks to be able to stay in place and more easily subdivide a large lot they don't need all of.

Mayor Adler: Okay. Councilmember Flannigan?

>> Flannigan: And that's a lot of -- my thought process here is, this would apply to undeveloped greenlands, in my version of the language too but this is really about thinking through, you know,

someone who is able to build an Adu, but in order to build that Adu, they've got to go out and get a alone, so you end up almost allowing folks with reallydoo credit and really good -- you know, who can do down payments, who can get that type of thing, as opposed to allowing this more nuanced subdion psicess where you could not have a great credit rating and you could aually just subdivide and get that additional unit built it would lower you own property taxes because it would reduce the amount of property you're being taxed on.

[4:54:34 PM]

It would als generate a cash infusion for folks, almost specifically for the folks who desperately need it the most. So I'm not going to support the amendment to my amendme

>> Mayor Adler: Furs discussion on the amendmento th T amendment.

>> Harper-madison: Yes, please.

>> Ayor Adler: Yes.

>> Harper-madison: I actually have given this a great deal of thought. I'm currently reading a book, ll,we listening to it, called color ofaw. It's been making a lot of referensceo this. In fact, the city of Austin got a little cameo in the book. Large minimum lot sizes are steeped in classism and racism and first gained widespread option during the Jim crow era. Austin's current minimum lot size restrictions were established I 1948. The existing standard is a barrier to home ownership and exacerbates our affordability crisis. Both strategic housing blueprint and U.T. Gentrification study uprooted call for allow smaller lot sizes, as mentioned, allowing the minimum lot size could provide much needed tax relief to existing homeowners by giving them thebility to subdivide their lots. That could minimize economic pressures and allow them to stay in place. Small lots ao free -- excuse me - allow fee-simple opener instead of requiring a condo regime, which is better for owners and provides more tax revenue per acre to help fund servicesnd programs. Minimum lot size regulations also significantly contribute to sprawl. Today, as Austin has sprawled to the size new York City at a tenth of its population, 300 square miles, it is a policy that supports and promotes continued sprawl into the hill country,t increases our overall impervious cover and perpetuates racial and economic segregation, and I don't think that's appropriate. And so I have, obviously, some problems with the amendment to the amendment.

>> Mayor a: Oker. Any further debate on the amendment to the amendment before we vote?

[4:56:34 PM]

Councilmember tovo.

>> Tovo: Yeah, thanu.k so in light of what I understand to be the intent, I will amend my amendment. And so I'm going to add the language, the language is currently that I'm proposing, undeveloped Greenfield or undeveloped infill tracts, and undeveloped parcels with a requirement that existing

structure be preserved. That allows for the subdivision to achieve what it is you're describing, which is a situation where a homeowner wants to have separate ownership of an Adu, or separate opener -- separate ownership of another structure that's part of the original parcel. If what we're trying to do is allow for homeowners to have an opportunity to have a portion of their tract be developed that is not currently developed, then I think this achieves that purpose without -- sure, without opening the door for what I'm talking about, which is just stating an opening for redevelopment. Sure. So the full amendment would read: Options for eliminating minimum lot size and lot width in undeveloped Greenfield or developed infill tracts, and then here's the new part, and undeveloped parcels with a requirement that the existing structure be preserved.

>> Mayor Adler: You want to change your amendment that way, for that?

>> Tovo: Yes, I do.

>> Mayor Adler: Okay. Is there any objection to councilmember Tovo changing her amendment to that language? Hearing none, that amendment is changed. That's now the language in F of us. Councilmember Flannigan.

>> Flannigan: I think just for clarity, the language that councilmember Casar read in as M amendment is options for reducing minimum lot size, not eliminating. So just to make sure we're not getting crossed on that, I -- I'm open to having staff provide some analysis on this because in this moment, tight M work, but I kind of need input for staff to know that's going to get me everything I'm looking for, or if the header statement is necessary.

[4:58:45 PM]

So I mean, minimum lot size and width, with patently analysis only going when producing -- I would like to know what the impact and it might turn out that's exactly all the places where this would work well and that's fine, I just don't know that that's true in this moment now.

>> Mayor Adler: Is there a way for us -- since we're talking about options, is it possible for staff to bring us back options, how to do it with undeveloped Greenfield and undeveloped infill tracts, and also where the home situation, both with and with preserving the home, so that we have the options that come back for both?

>> Harper-Madison: And the other thing I'd like to take into consideration is the size of the lot. I don't think you should have to afford a large lot to have the privilege to be a homeowner. I think even with the amended language to the original amendment, it still, to me, implies that you have to be able to afford a large lot in order to

>> Mayor Adler: Well, what this is saying right now is its options for reducing minimum lot size. It doesn't say how much. It's asking staff to provide options for reducing the minimum lot size and width, reducing both, to achieve the goals of the document, preserving safety concerns in undeveloped Greenfield and undeveloped INFI tracts. That would be all of those.

>> Harper-Madison: And on developed parcels.

>> Mayor Adler: Where TRE's a house. Then what council member to suggested was undeveloped where the ase house, so as long as you preserve the house. Can we ask for options coming back that ask for options bot preserving and not preserving the house. I could support it that way, but if it's just with the house, I can't support it at this point use, again, I don't know what the implication would be.

>> Tovo: I guess would say if we're not -- I mn, it just turns it from a redevelopment St tegy -- I mean, if what we want to do is have a lot of parcels redeveloped then changing the minimum lot size without preservation requirement is exactly the way too it.

[5:01:04 PM]

And then we will have tee times the number of demolitions that we currently hav I mean, if what we're trying to achieve is the ability to allow -- were you shaking your head? In my estimation I am extremely concerned -- thank you. You're right. And I hope I wouldn't be right. But as the council member in the district hha the highest number of demolitions, I am extraordinarily ncerned for my neighborhood and a lot of y'all's that if we lower a minimum lot size -- these are all existing neighborhoods -- we ar in essence incentivizing the redevelopment of those tracts. If whate're trying to do is allow homeowners more options, address some of the issues that you raised, council member harper-madison with requiring those large lot sizes, tn we can achievehose with a requirement reserve the structure. And so if that's really what we're trying to achieve then I think this allows for it.

>> Mayor Adler: Council member pool.

>> Pool: I want to check withstaff, our minimum lot size was reduced in the last couple of ars and it's down to 5750 square feet. Is that right?

>> In the current code? In our existing code?

>> Pool: Uh-huh.

>> Yeah, the standard lot size for sf3 is 5750.

>> Pool: Is that an eigh of an acre? Because I think 10,0 square feet is about a quarter of an ac.re so that would be about half that .ze and generally speaking, if I were going to kind of get to 5750, would that bike L 50 feet across the front and maybe 80-ish or 100 feet deep?

[5:03:07 PM]

Uh-huh.

>> Pool: Okay. So then if it gets too much smaller than that, thenou really are talking autbo having row houses. But in those neighborhoods where your frontage is the narrow, then it gets to be difficult to do like row houses because I don't know how you get to the back of the lot while preserving enough

footprint to build, you know, 7,000 square foot -- I'm just picking numbers. I think in answer to W some of the questions are here we need to establish -- everybody knows that the minimum lots, or standard lot size has been reduced. It was 7,000 back when we --

>> I was 7,000 at one time or a two-unit development. And that was reduced to 5,750.

>> Pool: Okay.

>> Mayor Adler: Further discussion? Yes. Council member Ellis.

>> Ellis: If we were to just ask for this with council member Flannigan's options would be included? Would you look at Greenfield infill? Things of that nature?

>> I think that what we would probably do and what we did do in draft three was we had Zones. The lot size was based on the zone. And so we had Zones that went down to 3,500 square feet and mapped those in certain places. And so we could look at what the impact would be in areas today based on what the existing lot size is today. So maybe like the number of potential subdivisions, if that was something useful. I'm -- this is off the top of my head, but we do stuff like that if that's useful.

>> Ellis: Yeah, I worry we would possibly be inadvertently excluding something.

[5:05:11 PM]

I feel like I would trust y'all if we asked for options that you would think of every scenario you could think of and try to break it down for us.

>> With respect to the preservation issue, just bring, if that's something that council wants staff to look at and analyze the potential for, that's certainly an appropriate direction, but I just want to say that we're used to seeing things like preservation tied to zoning, which is another more discretionary aspect where you expect to see some measure of community benefit negotiation occurring. Subdivision is a non-discretionary process, so we would work with law in analyzing the feasibility of that. But if you want us to look at that, certainly can but we're not used to seeing those sorts of provisions tied to a subdivision platting process.

>> I appreciate that. I think I'm leery of committing to specifying and telling y'all where you need to look. Just to look. >> Mayor Adler: Council member Renteria.

>> Renteria: Yes, what I see, there are lots right now in east Austin, even though they are zoned commercial, but they are just regular residents' lot sizes that have three and a four houses on and that's the way was designed. And then plus I know there are subdivisions in the south T off of Slaughter that the lot sizes are just 3,500 feet. And you can build a pretty nice five-bedroom house on one of those, because my son has one that he had built over there. So there's a lot of options that you can do, you know, and build, if we really are serious about building, you know, small lots and bringing these kind of homes, smaller homes into your neighborhood.

>> Mayor Adler: Council member Kitchen, then council member Tovo.

[5:07:16 PM]

>> Kitchen: I'm hearing that we definitely want to know about -- if, would be in understanding the options for reducing minimum lot size and lot width, but I would so want to understand that in the context of its impact on demolitions. So perhaps we can word this in such a way that would we get that piece of information also.

>> Mayor Adler: My sense is, for me, I think agree with you 100%. And I think that the keeping of the language broad enables that to happen, and I would expect to see that too. It says the goals elsewhere in this document, preservation is an established goal in this document. So I would very much like to see that happen. I think that the broader language and not limiting it for me is the better way to go.

>> I would want to specify that goal.

>> Mayor Adler: In front of us now is council member Tovo's. Please raise your hand. Alter, Kitchen, O, Pool. Those opposed, raise your hand. Balance of the day. We're back to the BANGU LE.

>> Tovo: Mayor, I would like to make an amendment.

>> When we were having this conversation back on one of the code's draft one or two or three, I think it's instructive to look at how many lots you have in your area that are currently standard lot size. You know, in a lot of my neighborhoods they are standard lot size with small lot amnesty, but for those small lots they would then become eligible for subdivision. Again, we're not talking about Greenfield development. The kinds of things we would include in a vacant area should be different from what we include within existing areas. On those houses are demolished and redeveloped, the housing will be more expensive. If what we're trying to do is provide more opportunities to really respond to the needs of our renters and the many others who are struggling to stay in our areas, this is exactly the wrong tool.

[5:09:28 PM]

Or could be in that there have lots of developed standard lot sizes. So I will suggest that we have language that says something along the lines of staff should provide council with a district by district map of lot sizes indicating and highlighting those tracts that are currently developed that would become eligible for subdivision and redevelopment if minimum lot size is adopted.

>> Mayor Adler: Council member Tovo makes an amendment. Is there a second to that amendment? Council member Pool seconds that.

>> I would like to speak to it.

>> Mayor Adler: Discussion.

>> I think that this suggested amendment from council member tovo is a really good one as far as alerting the public as to what the actual effects would be on their existing property and in their neighborhood and across town and just this elevates the level of information that would be available to everybody. We don't want to hide the ball, and this would be a way to ensure that no one thinks we are trying to.

>> Mayor Adler: I think it's really important we don't hide the ball as well. I think when we get back options from staff if it looks like any of them are interesting to us, I think then would be the time to give that additional information, but I don't know what the options are yet, so I would like to see that first. Further discussion. Council member harper-madison then council member kitchen.

>> Harper-madison: I just have so many concerns abouts, frankly, overworking the staff. It just seems like a lot of work to come back with a district by district map of lot sizes. And could be wrong, it seems unnecessary and tedious to me. And I really think we should take into consideration the finite resource that is the time and the effort of the staff.

>> Mayor Adler: Council member kitchen.

>> Kitchen: Council member tovo, would you go over that amendment again with me?

[5:11:32 PM]

>> Tovo: Sure. Staff should provide council with a district by district analysis and map showing lot sizes within those areas and highlighting the tracts within a district that would become eligible for subdivision if minimum lot sizes are adopted.

>> Kitchen: Okay. Mayor, can I speak to it?

>> Mayor Adler: Yes, you can speak to it.

>> Kitchen: That is information I would want to have. I think it's going to be really important when things come back to us that we have all the information we need to assess. You know, we have a lot of agreement on what we're trying to accomplish. And presentation of what we have right now in terms of market affordable housing is one of our goals that we've all said. And we need the information to be able to assess the impact. So I appreciate what council member harper-madison is concerned about. But I do think it's important for us to have all the information we need. And that would be one piece. There would be other things I would want to know to understand the impact of minimum lot size. But that's one of the pieces I would want to know.

>> Mayor Adler: Tovo amendment moved and seconded. Those in favor of the amendment. Yes, Mr. Flannigan.

>> Flannigan: I'm not going to support the amendment because if we were going to do mapping I would want that map to include Adu entitlements. I don't think this is hiding the ball situation unless some of us decided to tell the community this is a hiding the ball situation. But in reality we're going to be doing a lot of changes to the map, and there's no difference, in my mind, between allowing additional units and allowing them to be units when you subdivide, except for the fact subdivision process will make this more



available to folks who don't have the ability to have down payments or have the credit ratings to go out and get a loan.

[5:13:32 PM]

So I'm not going to support the amendment.

>> Mayor, if I could respond.

>> Mayor Adler: Council member

Tovo first. >> Tovo: I am not certain this is an extraordinary amount of work. I think this information already exists. I'm pretty sure I already got a map of district 9 with lot sizes -- I think it's sitting up in my office. I think this is very reasonable information. I think our staff has information about lot sizes within different areas, and I would just suggest that if we're making decisions we have the information that enables us to understand its impact.

>> Mayor Adler: Council member pool.

>> Pool: And that's of course what I meant by hiding the ball, which is, I guess, kind of a term of art for the sports world, so probably not really a good one for on the dais. But transparency is absolutely important. And to the best of our ability we have to just continue to promote the information in ways that the community can see and understand. So I think we all share that. We all share that desire. And the earlier we get it the easier our task will be.

>> Mayor Adler: Let's take vote. Those in favor of the Tovo amendment, please raise your hand. Kitchen, Tovo, pool, and Alter. Those opposed, raise your hand. Balance of the dais. We're back to the original amendment. Ready to vote on that? The in favor --

>> Wait. I had suggested some language to it. So it says -- I want to make sure I got this. It's options for reducing minimum lot size and lot width to achieve goals elsewhere in this document, including preservation goals while also considering public safety. Is that it? I would like to state it.

>> Mayor Adler: Okay. Council member Kitchen moves to add including preservation goals. Is there a second to that? Council member pool seconds that. Any discussion?

>> I'm fine with that because we're wanting to address all the goals and calling out one --

[5:15:34 PM]

>> Mayor Adler: Any objection to adding it? Including preservation. Hearing none, that's added. All right. Let's vote then on the main issue. Those in favor, please raise your hand. Opposed. Those abstaining? Alter abstains. Tovo abstains. Against or abstain? Alter and Tovo abstain. Pool voting abstain. The other eight voting yes. That amendment passes. Okay. The next one think I mine under code

next. 'sit putting back in language, I think, that may have been -- I don't know if it was inadvertently taken out or not but I'm suggesting we put back in language in a. In what I handed out it has the ch W is my amendment number two, adds back in language which had been in there. Keeps in the language that was add lade time by council member kitchen. Then it includes some of the language, but not all of the language that council member alter had proposed. I move that amement number two on my motion she. Is there a second to that?

>> Wait a me. ut

>> Mayordler: Yes?

>> We've got dferent amendments. I have an amendment to -- oh, I see what you're doing. Are you taking up both a and C right now?

>> Mayor Adler: Uh-huh. Uhuh. Kept in the B that was added before.

>> Okay.

>> Mayor Adler: A was language in there. It was taken out last week. So my amendment sheet has it coming back. And amendment C is part of the language that ce from council member alter, but not all of her language.

>> But your section C relates to testing, and we have other amendments related to testing, does it not?

[5:17:36 PM]

>> Mayor Adler: Yes. And I don't have any problem moving this into the testing section. It was just part of the way it played out with all the pieces meshed up. I was trying to separate them, that's all.

>> Well, if you don't mind, if couwe deal with the testing when we get to that in just a minute.

>> Mayor Adler: That's fine. I was going to take the ccessively any house. First paragraph. Is there a secd to including that language bk? Council member Garza seconds that. This is on -- adds for parcels within activity centers and activity corridors. In a manner that allows for greater housing unit yields than what would otherwise be achieved out prioritization. It's been moved and seconded. Discussion. My basis for this was I think it's really important as we go through this to really make some hard choices and set seom real priorities for the staff. And I think that one of the challenges that staff had last time is that wet done this and we identified this as one of the things that we could do. And in my mind, as we go through this land development code, one of the most important things is making sure that we're getting more affordability, we're getting more supply of housing. I want all these other tngs to be achieved and I think that the language that council member kitchen had put forth last week I think addresses a lot of the needs to makeure we're doing everything as much as we possibly can. INT this a especially it speaks to activityenters and activity corridors. We should be telling staff to figure outow H to achieve everything as best you can, don't compromise the units but certainly look for alternate equivalent means. If you can waive a setback requint in order to save a tree that we want to save in our community, have the flexibility to be able to do those kinds of things.

[5:19:41 PM]

Come back to us with options, alternatives, I thought that was a good add. I think it's really important that we set priorities for the staff. Further discussion. Council member pool.

>> Pool: So I was looking at council member's amendment on that same language and I had stepped away briefly. I just wanted to make sure that that -- have we taken that one up?

>> Mayor Adler: We have not yet.

>> Pool: So my question for you, mayor, is do you agree about the application of non-zoning regulation should not waive heritage tree protections or the requirements of the parkland dedication ordinance?

>> Mayor Adler: I don't know that. I think that, one I can't imagine a circumstance where the heritage tree thing would have been compromised in any way. I would like staff to take a look at that but my read on it is it does not have to be compromised, but I'm not an expert on that. With respect to parkland, I think it's really important that we have parkland in the area. I don't know that we necessarily need it on the tracts that front on the corridors, although that could certainly happen. Again, I want us to be able to achieve all of these things. But I think one of the issues that arose last time around was that we were trying to do too much on every piece of property and taking away the flexibility to come back to be able to move things around, find alternate means or whatever in order to achieve the goals I think is an important thing.

>> Sure, and I think we all agree with that, and including council member's language just gives indication to our staff that we indeed recognize the importance of our urban tree canopy. We recognize the importance of the green space and the parkland for many reasons, some of them are related to some of the issues that we took up under question number one. I guess what I'm saying is I don't know if the two of you had seen each other's amendments, but I think what I would like to do is consider, since council member's amendment has additional sections in it, that could we add to yours.

[5:21:53 PM]

And that to the extent you didn't agree with that I wanted to get that highlighted so we could then talk about the importance of including heritage tree protections and parkland dedications so that staff doesn't go away with the wrong impression that we think it's okay to either minimize them or overlook them.

>> Mayor Adler: And it's for that reason that I included council member's language as C. Because I wanted to make it really clear that if testing and modeling meant that, demonstrated that applying all our non-zoning things -- and not just parkland but certainly including parkland, but the other non-zoning things as well I think are also really important. I didn't want to limit it just to that. So I did include that language to say if the modeling shows that significantly constrains housing capacity, then I want the

staff to come back to us and tell us how we're otherwise going to achieve. That's why I included that language.

>> And that is really good. Because including, not waiving heritage tree protections or quirreents for the parkland dedication ordinance is signaling and stating he public that we absoluty Vue those and we want to keep them so that theres no misconstruing in the community about our stance on that.

>> Mayor Adler: I think it's just a question of how we do that, and that's why I included C in here so there wouldn't be any confusion and people wouldn't think that I also valued those things a well. Council member alter.

>> S I'm not sure how your new amendment took precedent over my amendment, so I'm not procedurally what is suosedppo happen at this point for me to lay it out.

>> Mayor Adler: Just lay out what you want and let's see how we handle it.

>> Okay. So think because you already started, I appreciate you inviting me, council member rza,gao lay it out.

[5:23:53 PM]

I think need to get an answer to a question relative to your amendment before I can lay it out. The part I'm struggling with with part a is what's the threshold that is significant enough of an increased yield T say that we are not going to apply these other regulations. So there's a big difference between a situation where you get ten units or you get 300 units if you waive something, versus you get 300 units and you get 310 units by waiving it. And I'm not understanding from your language the direct that's being provided in that regard. And that's why, for me, I was more comfortable with the way that mine is laid out, which says we're not waiving it but if you prove that it's a significant obstacle, then give us options. That was the way that I was thinking about mine. So if you could help me understand what that threshold is for being significant enough in that case, I think there are instances when you can go from 10 to 300 perhaps, ithatf were to exist in the scenario that we would probably be in som agreement on something. But if it's just getting you a couple more units, hows this giving clear direction?

>> Mayor Adler: I think the first part that gives clear direction is stating what the priority is. And the priority is making sure that housing and housing supply comes first. The second thing then, I think, is to say but also go ahead and test it as you did to see if there's any significant constraints. And if there are it's real important th we try to meet them as Beste can, but mindful of the first priority. I don't know whether it's 100 units or 104tsni or 101 units or what the number is. Nor do I think we could know at this point. And I would be loathe to set that kind of bar. But I think that gives the intent, which is the kind of the description to staff is that it's a significant constraint then they come back.

[5:26:00 PM]

And I'm comfortable with staff being able to do it since it's not an ordinance today and they're going to be coming back to us with something that the community debates for months and goes before planning commission asking them to do that. I tried to describe that in a more prescriptive way and it didn't make sense. Let staff come back and tell us what seems to be significant under the circumstances that they're dealing with.

>> Alter: And the issue I'm trying to understand why the part that was in B I think that council member kitchen had in there before that says non-zoning regulations should provide flexibility to allow for higher unit yield for parcels within activity centers and activity corridors doesn't get to that.

>> Mayor Adler: And the more we debate it on the dais the more certain I am that it's important to have the language that I proposed. I think it's just really clear that we give that instruction. A and C speak to different geographic areas. They speak to activity corridors, where I think it's particularly clear and particularly important. I think that council member kitchen's language in B, the more general language, that applies everywhere. I think it's important and good and I support it. But with respect to corridors, I want to be really clear about the priority

>> Mayor --

>> Mayor Adler: Go ahead.

>> So I'm just concerned because you can always say that you will get more housing if you take away parkland and tree preservation. So that's just obvious. So I would rather the parkland requirement be in there and the if modeling and testing comes back and says it's a problem, then we get the options back at that point.

>> Mayor Adler: I think we're going to have the option anyhow because it's not an ordinance and they're going to come back with their view of it.

[5:28:03 PM]

But I didn't say any impact, for the reason you just gave. That's why I had substantial impact or something like that, so that it wouldn't be any impact. And, again, I trust staff to take a look at that and recognizing when they come back to us we in the community can turn the knob however we want to be able to turn that knob.

>> Alter: So the language you referred to is my language that had that in there before that it was significant. And you introduced a new line that undermines the notion it has to be a significant change.

>> Mayor Adler: Further discussion. Council member kitchen then council member vo.to

>> Kitchen: Well, I think that the language that you're proposing may, would be better if we changed it a bit. Because basically what this asks us to do is establish a priority without information. So it's asking us to say that we would always prioritize greater potential housing unit yield over anything, and we have -- we don't have the information in front of us to understand what we're weighing. So options for doing that might make sense. You know, we could ask the staff to tell us the impact if we were to prioritize non-

zoning regulations over all else what would be the impact of that. We could certainly ask for that and I would be open to that. I cannot at this point say what I'm prioritizing because I don't have the information about the impact. So would you be open to changing your language somewhat so for parcels within activity centers and on activity centers, staff is directed to provide information about the impact of prioritizing non-zoning regulations that allows for greater potential housing unit than would otherwise be achieved without prioritization, or something like that.

[5:30:17 PM]

That's a piece of information I would be happy to have, I would love to have it. But I can't say right now that it is the priority in all circumstances, because I don't know what those circumstances are.

>> Mayor Adler: I'm comfortable setting that priority. And I think it's an important priority to set. I think that's one of the reasons why we got stalled the last time around. And I recognize this is going to come back to us and we have the ability and the community and the Anning commission and everybody has the opportunity to be able to fine tune that or to fix it.

>> Kitchen: Well, then, I would like to propose an amendment.

>> Mayor Adler: You can.

>> Kitchen: Let me see if I can say this. Staff -- or the direction is to provide options -- provide options and information about the impact of prioritizing the application of non-zoning regulations allow for greater potential housing unit yield that would otherwise be achieved without prioritization.

>> Mayor Adler: Provide options and information about the impact of prioritizing the importance of housing --

>> Kitchen: Well, the application of non-zoning regulations.

>> Mayor Adler: Prioritizing the --

>> Kitchen: Application of non-zoning regulations.

>> Mayor Adler: Okay. Application of non-zoning regulations.

>> Kitchen: In a manner that allows for greater housing yield than would otherwise be achieved without prioritization. I'm sorry. That's very clunky but what I'm trying to suggest is what would be the impact of what you are proposing as opposed to saying that's what we want to do.

>> Mayor Adler: There's been a motion.

[5:32:19 PM]

Is there a motion to this amendment? Council member Tovo seconds it. Discussion on the kitchen amendment? Council member Tovo.

>> Tovo: You know, I think there's a lot of similarity between A and B, except that A, as I understand it, really identifies that as the main priority. So I think it is appropriate and more in concert with what we have said in B to just ask for the information and then evaluate it.

>> Mayor Adler: Okay.

>> Tovo: And I agree with Council member Alter. The reality is if higher housing unit is always the priority, will impact parkland dedication and what we are trying to achieve as a balance.

>> Mayor Adler: Council member Casar.

>> Casar: I'm supportive of the mayor's language the way it is so I'm going to vote against the amendment because I think we're still going to have to strike a balanced A still going to address parkland deficiencies and address a variety of needs. But currently I think our balance is off away from housing and transit and I think generally gives the direction to set it more towards that.

>> Mayor Adler: Any further discussion on the kitchen amendment? Take a vote. Council member Alter, did you want to speak?

Alter: I just wanted to point out you noted earlier, Council member Casar, that we weren't going to talk about the data on what was happening on the corridor, so you were going to make a different motion. We still don't -- some of us don't have that data that substantiates the claims that you're not able to build the same amount on the corridors as you are under current zoning. And so part of why I shaped my amendment as it was was so that if the testing and the modeling say that, then we have to address it. My amendment's not the one that's up here now B I just wanted to make sure that, you know, we know that we don't actually have modeling from our staff that is showing this to be the case.

[5:34:25 PM]

It's all anecdotal and I have not seen the models or it. Somebody may have seen them and somebody may have generated them but it's hard to operate off of those when I don't have those facts in front of me.

>> Mayor Adler: I would just point out that if the testing and modeling is not the case, then G gets compromised. Any further discussion on the kitchen amendment? Let's take the vote. >> I didn't understand what U said.

>> Mayor Adler: If the testing shows we can apply all these things and it doesn't substantially constrain anything, everything gets applied.

>> Is that what you mean by A?

>> Mayor Adler: A and C taken together.

>> Okay. That's a little different than I read it. Because I read it as making a flat-out statement. It doesn't say that it's qualified by C, if that's what you mean then perhaps we could add that.

>> And I would just mention M-

>> Mayor Adler: That would otherwise be achieved without prioritization. If it's without prioritization nothing gets constrained, you can still do everything, everything is fine. That coupled with C. C is like belts and suspenders. Council member pool.

>> Pool: Since you brought it up, you talk about if non-zoning regulation significantly constrained housing capacity then staff comes back to us to tell us to change those constraints to minimize the impact on achieving housing capacity. That isn't a balance. You are, again, prioritizing. It's not -- it's a belt and suspenders indeed to a degree, the way you have it written. You are saying boldly and completely that housing units are prioritized over all other things. And what I am urging and what council member Alter is urging, and what council member Kitchen and council member Tovo and maybe some others who haven't yet spoken is we have got to find a balance.

[5:36:27 PM]

We cannot find a balance, though, if you are saying prioritize A over everything else. We have to show that we are looking for the way to strike the balance.

>> Mayor Adler: Okay. Let's take the vote. Those in favor of the Kitchen amendment, please raise your hand. Kitchen, Tovo, Pool, and Alter. Those opposed, please raise your hands. Balance of the dais. Kitchen amendment does not pass. Council member Tovo.

>> Do I get to make my amendment at some point?

>> Mayor Adler: Sure. Why don't you hold on? Do you want to make your amendment? I'm recognizing you. I thought you to chide me again. Go ahead and make your amendment.

>> I had asked like five people ago what the parliamentary order. So I would like to make my amendment, which is as written there, which says for parcels within activity centers and on city corridors the application of non-zoning regulation should not waive tree heritage or the should the test in modeling of the draft code demonstrate the parkland dedication ordinance significantly constrains our housing capacity in these areas. Staff should return to council while still ensuring we reduce our parkland deficiencies.

>> Mayor Adler: Council member Alter moves a 15. Is there a second to that? Council member Pool seconds that. You want to discuss it? Council member Alter, you want to discuss it? Are you going to discuss it?

>> Alter: Sure. I think this is important because now that we have the part above that A, any development could have more yield if you don't have to do parkland dedication and you don't have to observe the tree ordinance. And so think that it's an important statement that we want to address those priorities that are also PART of our strategic outcomes.



[5:38:31 PM]

And I think that should it prove that it is problematic, that it allows us to move forward. and it still has in there your a that says it's a priority.

>> Mayor Adler: I'm not going to support that amendment. I think it was really important for us to state the priority and I appreciate the council's vote N that. I think it's reflective of the kinds of things we have been saying as a group. And I think that taken together, C that I would offer in just a moment, I think is more consistent with the work we just did on A. And reaffirms how important not just those things are but what all of the non-zoning benefits and goals that we've set. Council member Kitchen.

>> Kitchen: I'm going to support council member Alter's amendment. I think that it's -- I just have to say this. I think it's really important for us to understand the importance of the health of the community of parkland. And, you know, to me housing is intertwined with environment and parkland and trees. It's all intertwined to the quality of our life. And our health as a community. And I don't understand how we can, without information, say that we're going to prioritize one over the other. Because we're not achieving our goals as a city and we're actually going back on our goals as a city when we do that. So I think that the approach that council member Alter has taken here she's actually speaking to information. Should the testing and modeling demonstrate that parkland dedication ordinance significantly constrains, then we'll get information about options that we can address. She's not saying in here that the parkland dedication ordinance should control over housing.

[5:40:34 PM]

And she's trying to say that it controls over anything else. She's just talking about getting good solid information so that we can then weigh what our priorities are. So, you know, I'm really kind of disturbed about the way the conversation is going.

>> Mayor Adler: Okay. Council member Flannigan.

>> Flannigan: I'm comfortable with the mayor's language mostly because I think staff gets the conflict we have up here and will bring back to us in the fall something for us to really kind of fine tune. I'm also, you know, I don't think anything about broadly waiving regulations. This is kind of going to be a site-specific site plan situation. You know, last week we adopted the amendment that would allow for administrative variances on setbacks and some of the zoning regulations in order to preserve a tree or to -- and still maintain unity. So I kind of see this in that frame of mind. So I'm going to go ahead and support the way the mayor laid it out.

>> Mayor Adler: Okay. Ready to take a vote? I>> Would like to --

>> Mayor Adler: Council member Alter.

>> Alter: So I just want to make sure that everyone's aware of the letter that we received from the parks foundation expressing their concerns. And something that I think we all recognize intuitively, which is that

as you densify and as you put more and more people on the corridors you need to have -- they need to have access to parkland. And for better or worse precisely the places that are our corridors are the places that don't necessarily have access to parkland within a quarter mile or within a half mile, which is another one of our top strategic outcomes. And once those areas are built or redeveloped, you W't be able to put the parkland there. And the folks who are living in that housing need access to recreation on a regular basis.

[5:42:36 PM]

That's why have that priority in there of the access for everyone. And unfortunately there is an overlap our park deficient areas. It was signed by the parks foundation, Barton springs, Barton creek association, and the trails foundation.

>> Mayor Adler: I would just say that it's real important I think for all of us up here and to a degree in prioritizing in order to make housing units there's any ripple from that I hope that the council will adopt C, which says you need to figure out how to compensate for that so that we meet those goals. None of us up here wants not to meet the goals. It's a question of how do we do that. Further discussion on the alter amendment? Yes, council member harper-madison.

>> Harper-madison: I just wanted to go on the record to say while I appreciate the value of parks and trees, I tend to lean in the environmentalist direction I also want to be very clear that in my opinion the priority is housing people. And that superseized everything else. I want to take note who didn't sign that letter, people whose primary concern is housing people didn't sit that letter because that's not their primary priority is parks and green spaces and protection of trees. I do think it's extraordinary important. Like council member kchen said the overlap is inherent and important, but there is a very clear priority in housing people. In my opinion. Thank you.

>> Mayor Adler: Let's take a vote on the alter amendment council member pool.

>> Pool: I would just add on to see things that council member alter said there were a couple other groups that signed that letter.

[5:44:38 PM]

This goes to the quality of life for folks, no matter where they live in a city. And even in our densest communities think New York City has been mentioned earlier today. There is significant parkland dotted throughout most dense parts of Manhattan. My daughter lives up there and she seeks out those areas of green space. And if those areas hadn't been designated to be saved, they would have become really tall structures. So what Collin Wallace is writing in here, he's the C.E.O of the Austin parks foundation. He simply asks as we consider whether and how to provide for flexibility in the land development code with regards to parkland dedication along major corridors and the responding transition Zones, we urge you to carefully consider the balance and benefits of adding parkland, particularly in parks deficient areas

with the goals of increasing Hsing density along corridors and transition Zones. We can do both of these things. The mayor has been looking out at the staff and saying that his amendments here, he feels certain that the staff understands that he's not choosing to prioritize or to leave parkland dedication behind or our tree ordinance behind. I do believe that his language says something different. So what I want to say is should his language prevail today that you take as direction from the staff that you not wait these non-zoning regulations when you bring back the options to show us the impacts so that next we come back later this year to make the final determinations on which ordinance should look like that we are not in fact leaving behind these very elements that the public is asking us not to leave behind.

[5:46:44 PM]

>> Mayor Adler: Thank you. Let's take a vote. Those in favor of the alter amendment, please raise your hand. Council member alter, kitchen, tovo, and pool. Those opposed please raise your hand. What's the balance of the staff. I would now urge C. Be ready to take a vote on C. I think we discussed it. Ready to take a vote?

>> Mayor?

>> Mayor Adler: Yes.

>> I have language to add to -- you're putting this here as opposed to in B?

>> Mayor Adler: Only because it's direction and not an ordinance and it was obviously a part of the conversation we were just having. I think it's clear. I don't think it would confuse the staff and I think it's an important footnote to the conversation we just had and makes it real clear on this amendment we're not saying these other things aren't important, they're critically important. It's a question of how we achieve them. If you have a better place to put it, I would still like us to vote on it because I would like to be able to get this done. >> No, I didn't mean that. I just meant an amendment related to testing too.

>> Mayor Adler: We'll get that in just a second. C is in front of us. Is there a second to C? Council member alter seconds C. Continuing on. Council member tovo.

>> Tovo: Yeah, I just want to be clear that we're adding C. We're not replacing anything in the draft document.

>> Mayor Adler: That's correct. Yes, council member pool.

>> Pool I was wondering, based some of the conversation we just had under code text and this question if we might be able to craft this language that you've offered, mayor, in a positive way saying something along the lines of testing and modeling of the draft code should seek ways to balance among priorities, including non-zoning regulations and provide council with options. So that we remove the words constrain, significantly constrain.

[5:48:48 PM]

And further -- and provide council with options for best achieving the goals of non-zoning regulations while balancing with our housing capacity goals.

>> Mayor Adler: Okay. You're offering that as an amendment?

>> Pool: I am.

>> Mayor Adler: Council member pool offers an amendment to C. Is there a second to that?

>> Could you read it again?

>> Pool: Sure. My goal is to seek a balance and to say it here. Because I think the language that the mayor has offered is the native of that. He is saying that non-zoning regulations constrain housing capacity. And he wants to minimize impact on that those non-zoning regulations will have on achieving our housing capacity goals. So what I would like to say is instead testing and modeling of the draft code and the new language should seek ways to balance ongoing priorities, including non-zoning regulations. And then go back to after his activity corridors, all of that is deleted. And then pick up at staff. Staff should provide council with options for best achieving the goals of non-zoning regulations while. And then instead of saying minimizing impact on achieving, say balancing with our housing capacity goals.

>> Mayor Adler: Okay. It's been moved. Is there a second to the pool amendment? Okay. Do you want to address it?

>> I just wanted to clarify that the mayor had taken my language and then transferred it to be broader. And so while I agree with you that I might have preferred it to be positive I just wanted to point out that it was originally my language that he then tried to incorporate into what he was saying. The original language was in there. Absent mine, I would prefer more positive. I'm not sure I'm quite on board with the way you have your language, but I just wanted to clarify.

[5:50:51 PM]

>> Mayor Adler: Thank you. Is there a second to the pool amendment? Hearing none, let's move back to C. Those in favor of C, please raise your hand. Those opposed. Yes?

>> I'm sorry.

>> Mayor Adler: That's okay.

>> I thought there still was room for discussion.

>> Mayor Adler: There is, if you want.

>> I have one question and I think it might speak to council member pool's concern there. I'd like to instead of saying significantly constrained, could we say may constrain. May instead of significantly? Would that make it --

>> Mayor Adler: I think that thought is with the sd. We don't know whether it will constrain or not. That whole section just comes into play only if it ds. I mean, if it signlyca constrains something -- because we have already set a priority in a -- like what you said, housing -- we're setting that priority .now, if you actually have to use that prioritization, so it significantly constrains something, what cs S is we still want you to go back now and try to makesehe other things work. Don't mess with the priority we set for you.

>> I understand.

>> Mayor Adler: But still try to meet these other things. Should you find those other things constrain it so that you then make a choice to let the units there, then we want you to tell us what is the best way to achieve these other things. Don't ignore them. Don't let them go away. Don't forget them because they are so very, very, very important to us. But it has to be consistent with thprioie Ty we set.

>> Okay.

>> Mayor Adler: Any further changes to see? Let's take a vote. Those in favor of C, please raise your hand. Thosopposed. Those abstaining. Pool and kitchen abstaining. The others voting aye. All right. Let's go on to -- I think now the next is the testing section. I think this is yours, council member tovo, a 4.

[5:52:56 PM]

>> Tovo: Thanks, mayor. Can I get sense of our process from here since we have been going for five hours without a break. I want to G a sense -- it doesn't lo like we're about to ap uwr our amendments any time soon so I'm just tryingo determine whether we're going to take a break for dinner. Whether we're just going to proceed on through and ask our staff to help us get some food eat it on the dais. What's kind of our process from here?

>> Mayor Adler: Well, it is the will of the council. I would suggest that we take a K, gea something to eat so we can do that. But then I would have us come back and see if we can get th ath,east the five questions and direction the manager gave to us. We could then see if there's much dispute on the planning and affordability additional items. Whether we need to ce back for those. I would hope that if we could move quickly we could take care of everything, but my pference would be for us to keep working to get this done. But that's the will. I would take a short dinner break D then work. Further discussion on the dais? Yes, council member kitchen.

>> Kitchen: I think a short break would be in order. We may have different ideas of short. What do you mean byho srt?

>> Mayor Adler: Like half an hour.

>> Kitchen: Is there food for us?

>> Mayor Adler: They haven't ordered food but they would order from java. We would continue working and as as the food is ready we would take a 30 minute break, eat the food and then come back. Does that work? Let's do it. Please order the food. You want to handwrite an order fr java and pass it tolain E

we'll customize your dinner order. We're going to keep working until er inn ready. Let's see how far we can go. Council member tovo. A 4. A city-led testing process. I'm sorry.

[5:54:57 PM]

Did I drop one off? Casar 17 I dropped off. It's the downtown a-17. The application of non-zoning regulations to smaller remaining downtown sites should allow for greater for potential for employment residential units in draft three with affordable housing benefits including and calibrated.

>> Casar: I'll move that. I think we talked about it generally during the last one.

>> Mayor Adler: Okay. A-17, Casar has been moved is there a second to that? Council member Garza seconds that. A-17. The application of non-zoning regulations T Soller downtown sites should allow for greater potential for [indiscernible] Including and calibrated. Any objection to this? Council member tovo and then council member alter.

>> Tovo: Yeah, same question I raised earer. I assume the answer the same and that there's not an intent to -- that there is an intent to do this in accordance with the downtown plan, so I would ask the maker of the motion to include that language. In accordance to the downtown plan in this document. Just likhe last one. It's the same words we added to the other one.

>> Tovo: It is my understanding that the last one we changed I to regional center.

>> We added in accordance with the downtown plan and this document, period. And then we added --

>> Tovo: We repeated the whole --

>> That wasn't my understanding, but that's okay. Okay. Then adding that language.

>> So I'll move mine with the additional word saying in accordance with the downtown plan and the direction in this document.

>> Mayor Adler: Okay. A-17 is in front us which adds the language in accordance with the downtown plan and consistent with the downtown Austin plan and the direction of this document

[5:57:10 PM]

>> Mayor.

>> Mayor Adler: Council member kitchen.

>> Kitchen: My question is this appears to be -- I couldn't hear. Is there a proposal that W add the regional centers?

>> I think this is different. This is about small sites that might be a quarter block downtown, which is pretty different from regional center because those are just pretty different from downtown. This is a downtown-specific problem that came up within draft three. If we want to talk about -- for example, the regional center in my district is the highland mall. It's one big site. It doesn't make sense. In THA regional center. If people want to talk about other regional center issues, let's talk about it, but essentially there were some questions during draft three that the non-zoning sections and how it was crafted for small sites in downtown, I particular, wasn't getting us to our community goals. We're just pointing this out. Okay. I was thinking more that we should be consistent and include regional centers to the extent that it's applicable.

>> And I think when we proposed these, these were just one amendment. And now it got broke up. And so under the one amendment we already said our regional centers should maximize residential unemployment capacity, so I think we kind of covered it. But I think if there are small sites, small quarter-block sites in other regional centers that are similar to downtown, I think the staff gets it.

>> Oh. I see what you're saying. Okay.

>> May I ask a clarifying?

>> Mayor Adler: The language says the application of non-zoning regulations to smaller remaining downtown sites should allow for greater potential for employment and residential units in draft three with affordable housing benefits included and calibrated in accordance with the downtown Austin plan and the direction of this document. Further discussion. Council member alter.

>> Alter: So I know you

[5:59:11 PM]

>> Alter: I know you just stated what you thought it meant but I'm having trouble understanding, seems like you just restated what the words were. I'm trying to understand what the problems we're trying to solve, more specifically. I understand the broad picture but it would be really helpful to have a specific, and I also concur that it's likely a downtown specific issue, as far as I'm aware, and somebody else may have a regional center where that's not the case. But if you could elaborate or if staff can shed a little bit of light about -- I just don't fully know what the problem is beyond what the words say that we're trying to solve.

>> So in draft 3, there were some concerns about the regional Zones, including the downtown core zone, about some constraints for quarter-block sites that had to do with setbacks, I think, primarily and stepbacks, that made the quarter block sites somewhat unfeasible.

>> Alter: Okay. So there's a very specific size site that, because we have setbacks and stuff that are laid out that are -- these are specific for downtown versus the other regional centers, or are they --

>> It came up primarily as a part of downtown, looking at downtown, and my recollection is that some of them are specific to the way downtown was mapped so that the downtown core zone --

>> Alter: So is there any Val in this being broader to the regional center? Just seems like the regional centers aren't built out in the same historical way, but --

>> Sure. I don't think it would hurt, certainly, to -- certainly, toed a it. It would just be a point of emphasis when we look at possible constraints.

>> Alter: Okay.

>> Mayor Adler: Any further discussion on this, a17? Councilmember tovo.

>> Tovo: Just to be clear, we're talking about the central business district.

[6:01:12 PM]

That's where that concern arose. >>Eah. My understanding is that we're talking about the downtown CBD, what's currently CBD sites that are limited in development potential.

>> Tovo: Thank you. Just wanted to clarify. Thanks.

>> Mayor Adler: Let's take a vote on this item, a 17 with the words changed. Those inavor, please raise your hand. Those opposed? Those abstaining? Thini -- everybody was in favor ofhis with the changes, with councilmember pool off the dais. That amendment makes it in. Councilmember tovo, a 4, city-led testing process.

>> Tovo: Okay. Yes. We started to discuss this the other day and the addition -- making it clear that the participation would include members of the public and that the testing would be done prior to review by boards and commissions. Those are my amendments.

>> Mayor Adler: Okay. Councilmember tovo moves her a4. Did Y --ou both those changes. Right? It's been moved. Is there a second to the tovo amendment? Councilmember kitchen makes that wanuto say anything?

>> Tovo: No, we heard some concerns last time from the staff about there were some design professionals who didn't want to participate if the public was involved. I think that was late in the process where there were lots of --S of concern on all sides about where we were, and so as I mentioned last time, I think mes of the public, you know, live in these areas, have information to offer our valued -- our valued -- our valued members of our community and have information to offer.

[6:03:23 PM]

It looks like Rodney wants to --



>> Sure. I agree with you wholeheartedly. I do. It's our intention to share the results of the testing with the public, with council, to be very transparent in the regard, to allow them to see what was found during testing so that way, they have access to that information and they can opine on it as well.

>> Tovo: I guess I believe that members of the community are actually sources of information, and we've seen that again and again, and this community has had a long history of valuing members of the public as -- as partners in the efforts that W undertake as a city. As a city. So I don't subscribe to a belief that, you know, thenly people we should be listening to are experts. I think that having members of the public who know their neighborhoods well and can be sources of information is Reay critical to coming up with a better product.

>> I think it's --

>> Tovo: I saw again and again examples where there was a real disconnect between the information that was coming through, say, on a map Atha was actually there'd on ground. So younow, I think that, again, I think that as a city, we need to adopt the kind of perspective that -- you know, the individuals who live day in and day out in our community have value and have infntionma to offer that would be good incorporate into our planning processes.

>> And I agree with you. I think it's just a matter of timing as to wn that input is received because we do Vue that input. Ssoring those results, we certainly would expect that re onse back and that input. Then we would look at I and we would make decisions based on it. We would not neglect it, by any means. It's just a matter of timing, when we would share that information.

>> M or Adler: Councilmember Flannigan.

>> Flannigan: So I just want to push back a little bit on the chactearzation that anybody is saying that the only people we want to listen to are design professionals. Obviously, we take a lot O public input. We've taken a lot already, we'll take more at our boards and commissions, and in formal hearings at the end.

[6:05:24 PM]

I think everybody knows that. To Rodney's point, but also the larger point, members of the public don't sit inhe buildings at city hall while staff is doing their work drafting every line either, and I kinof see it more in that space, wherehe folks who actually build the products and build the housing and build the buildings need to look through it and say, well, this is a thing that makes sense to those of us that are in the community at build things, and then when the rests come out, if the public sees that there are errors or mistakes, they'll be able to point that out and we can address that then. So I don't support the addition of the "And the substantial involvement" part of the line. But I don't know if staff has any concern with testing being complete before boards and commissions. Is that a timing issue?

>> I think that's going to be a matter O how we're interpreting that sentence. We're interpreting that as the code is going to include, of course, the results of that testing, and so we anticipate, of co se, that whatever results we find from that testing, from all the input that we've recei from design professionals and from T public, that that WOU go into the code product.

>> Flannigan: Okay. Thank you.

>> Tovo: Mayor?

>> Mayor Adler: Yes, councilmember tovo.

>> Tovo: I just point out there's a big difference, in my opinion, between involving the public in the process and repopulating the process to the public. I think it would be far more efficient to involve members of the public in actually the process, rather than just asking for their feedback and then trying to respond to it.

>> Mayor Adler: Part of it I think is the words we're using. I want the public involved very much in the process and the public shouldn't be in a position where a process is run, then reported to them. They should be part of the process. I don't think that we should be prescribing that there's any particular group of people that you need to convene together at any one point in time, but I think it is important that all the information you're getting is either something that's visible at the time that you're getting it or reported so everybody has it and commented as part of a singular process, and make sure that you don't make any decisions in the process, or conclude the process until everybody has had the opportunity to do that.

[6:07:40 PM]

But I do want to preserve for you the opportunity to meet in a room with four people in the neighborhood, not in the neighborhood, experts, stakeholder groups, whatever, without feeling like every time you meet, you have to have a public meeting to be able to do it. But I think it is important that everyone feels like they were part of the process and not responding to a process. But I think that's what you would be doing and I think that will be good. Any further discussion or amendments to this section a4? Councilmember Natasha Harper-Madison?

>> Harper-Madison: I don't have an amendment, I do have a question. I think I'm both asking my colleagues and staff because I'm new to this particular part of this process. When I think about something as technical as land use, as creating our land use code, as zoning, platting, as planning, it's so, so very technical, I can't help but wonder how -- how and if there is a way to make the determination at what point do the paid professionals who are liable for the -- their contribution to the dialogue exclusively taking a look at certain things, and then other things are open to the public to weigh in on, you know. It's maybe a bad analogy, but I just keep thinking about this analogy that I heard one time about would you let your hairdresser clean your teeth, or vice versa. You know, everybody has their subject matter expertise, and truth be told, most laymen, most community members, most stakeholders in the community that talk to couldn't contribute substantively to some of this very technical data or conversations. So I just wonder if there's a threshold, like at what point do we say -- I mean, you really need to have 20 years' experience in this subject in order to be able to weigh in substantively and efficiently, you know, because I think a part of the inefficiency is having them talk about things that they're not familiar with so that wasn't rhetorical.

[6:09:57 PM]

I am asking a question. Are there parts of the testing theatre exclusively for professionals to weigh in on and other parts that are accessible for members of the community, non-professionals?

>> Brent Lloyd, development services. Thank you, councilmember harper-madison for your question, and I think when we -- I think there's a lot about the code that can be -- there's ample room for public engagement, and I think what we're talking about when we talk about the testing is actually the -- is having development professionals look at whether the code works, look whether the -- the very technical aspects of the code conflict, whether there are limitations in the code that prevent projects from being built, those sorts of, design-level, construction-level issues. And I think the direction would be -- I think what Rodney said is that THA testing would occur and the results -- the results and the analysis would be shared publicly and subject to cross-examination publicly in debate, but there would probably be instances where design professionals who are architects, engineers, would sit down with staff and kind of have technical discussions where they go through and outline issues that they see with potential conflicts with the code or for potential ways in which a particular requirement just doesn't work on the ground. I think the direction as it's -- I think without amendments being added to it, I think the direction would allow some measure of staff dialogue with design professionals outside of a public setting. But the results of that analysis, again, would be subject to public debate, review, and cross-examination.

[6:12:05 PM]

>> Mayor Adler: Okay. Councilmember Casar.

>> Casar: It was probably 11:30 at night last Thursday, but I think councilmember Tovo accepted an amendment to add the word "Initial" into it, for this initial testing, understanding that the testing may be ongoing. Just wanted to see if that could just be part of the base.

>> Mayor Adler: Councilmember Tovo, is that acceptable to you?

>> Tovo: I have to remind me where it went. This initial testing, prior to review by boards -- yes, uh-huh, that's true.

>> Mayor Adler: Any objection to that word initial? Hearing none, that's amended. Further discussion on this amendment?

>> Kitchen: Yes, amendments.

>> Mayor Adler: I know, but other people do too. Councilmember Alter. Councilmember Kitchen.

>> Kitchen: So on my motion sheet, on page 1 it's number 2, so I have two amendments to this section. So I wanted to specify including architects, landscape architects and engineers. I think it's important to specify, the previous testing, in particular, did not involve landscape architects, so I'd like to include that here.

>> Mayor Adler: Any ctioje to these words being included? Hearing none, they're included.

>> Kitchen: And then the second part is language that is specific to the model -- specific to the testing related to the cdorri and transition areas. So it says it should provide accurate and careful modeling of corridor and transition area regulations so that council and unityco discussions can focus on achieving policy results and include proposed non-zoning regulations as previously directed by council resolution, and then the number of it is, so...

[6:14:06 PM]

>> Mayor Adler: Okay. Is there a second to this next amendment? Councilmember pl seconds it. Discussion? Councilmember Flannigan.

>> Flannigan: Have some concerns about whether or not the testing is modeling.

Kitchen: Oh, okay.

>> Flannigan: Right? Because I'm not sure what we're describing in T testing process is the modeling of corridor and transition area. I think those are two separate things. And I've -- so that's one coern.nc and the second concern is that the resolution that you reference includes some open meetings act requirements and other things that I don't know that we're wanting T move forward. So I'm not sure that the reference to resolution is something I can support . >> Kitchen: We can take out the reference to the resolution. I really just meant there that we had previous -- I was trying to refer to the fact that we had previously directed.

>> Mayor Adler: Okay. So are we okay saying it should provide accurate and careful testing instead of modeling, continue going with your language and putting a period at the end of regulationtion?

>> Kitchen: Yeah. I'dike to understand better the difference -- councilmember Flannigan, what is the difference in your mind of testing and modeling?

>> Flannigan: In my mindesting T is taking example sites that ve been developed and seeing how they -- what would be allowed to be developed under the proposed code.

>> Kitchen: Okay.

>> Flannigan: Which to me is different than modeling a series of properties or modeling a whole transition area. I'm not saying that we shouldn't also do THA but I think those are separate things. And I think the testing process ois that you bring in the design professionals and the engineers and such to see what you could build, but the modeling and transition areas is something I'm expecting S tta do as they go through the mapping process. I see them as different.

>> Kitchen: Okay.

>> Flannigan: Maybe staff should shine a light on what they --

>> Kitchen: Yes. N you talk to but difference between --

>> Mayor Adler: Testing versus modeling in the first sentence of councilmember kitchen's amendment.

[6:16:09 PM]

Any objection to striking, as previously directed by council resolution? Ingar none, thatnge is C made.  
>>Indy Garwood, planning and zoning. I would agree with councilmember Flannigan's aessmsst of that, testing is really design professionals coming in, analyzing and making sure everything works and flows within the code. Modeling is something that we would do internal as staff and kind of piece together how it would look in a physical form, as -- with, like, a 3D rendering or something like that. Kind of looking at how the actual mapping would look.

>> Kitchen: Okay. So modeling is more of a picture? Is that what you're saying? As opposed to tesng, which -- I understand what you're saying by testing, councilmember Flannigan.

>> Flannigan: Yeah.

>> Yes.

>> Kitchen: Okay. Well, I'd like to achieve both.

>> Flannigan: Yeah.

>> Kitchen: And if modeling needs to go in a different section being, that's fine.

>> Flannigan: I think it might be sufficient to say, instead of it should, maybe in a new paragraph, staff also should provide. Becai we ld expect that to happen anyway. Faf is going to have to provide us with some kind of modeling what therans tion and corridors are going to look like.

>> Yes.

>> Flannigan: I think they're planning to do that anyway and transcribing the resolution the end.

>> Mayor Adler: We've struck that. The next paragraph, staff should provide accurate and careful modeling?

>> Kitchen: And testing. Staff should provide aurate and careful testing and modeling of corridor and transition area regulations --

>> Mayor Adler: We're going to take out if and add staff? Staff should provide accurate and careful testingnd a modeling.

>> Kitchen: Understanding they're two different things.

>> Mayor Adler: Right. Testing and modeling.

>> Kitchen: So...

>> Mayor Adler: It goes on, staff should provide accurate and careful testing a modeling of corridor and transition relations so discussions can focus, results include proposed non-zoning regulations.

[6:18:10 PM]

>> Kitchen: "Mean testing and modeling as two Thi not equating them as the same thing.

>> Mayor Adler: Any objection to this section? Councilmember alter? Articles I he a question. I'm just trying to put together the discussionetwe B tovo's and this one to understand where we're at now.

>> Mayor Adler: We're going to vote on this and approve it real fast, then go back to see if there are other amendments to that section.

>> Alter: I'm jus confused.

>> Mayor Adler: The amendment came out a little bit early from Ann, another section, but you wanted to defer to her so I let her go ahead and do it. I'm trying to do the best I can.

>> Alter: I'm just trying to follow where we are. I just trying to understand WHE we were.

>> Mayor Adler: That's okay. We're on kitchen's page, number 2. The first part has already been approved. We're now in the secon red language.

>> Alter: Yeah. But then --

>> Mayor Adler: We're goio get to tovo in just a second. We'll get back to tovo. This is an amendment to tovo's amendment. Not really -

>> Alter: So when we finish with this, I remembered my comment and I will --

>> [Off mic]

>> Mayor Adler: I know. I tried not to do that but peoplewe deferring on the dais for it and it kind of happened that way. Just trying to move us forward.

>> Alter: That's fine. So we're going to go back, we're going to vote on this, then go back to tovo's. Before we vote -- before we go back to voting on tovo's, I have a question F staff related to hers.

>> Mayor Adler: Okay. We'll get to that. Anybody have any pblem with the rest of kitchen's language there with these changes made? Hearing none, that's done. E g'rting back to Kathie tovo's. Ifre's something you want to ask a question about first, let's do that.

>> Alter: 4:00. I would like the ask Rodney or one of the staff to come up. I have some questions. I think I'm of T mind that our public does add to this discussion and I'mtill trying to wrap my headround what kind of process we have the professionals talk behind closed doors and then -- and then folks get too involved. I'm sure there are scenarios where that would work, I'm just not quite seeing how that plays out in practice because not every -- you know, what gets SHAR, because you might take something and just incorporate it and it not be shared -- LE I just don't understand what are the guardrails -- I understand the value to you of being able to have conversations, that you can theve conversations, but then I'm not understanding how we're conceiving of the role of the public in interjecting and being able

to evaluate one knowing when you've made a decision based on something from design professionals that wasn't there in the first place from you.

[6:20:57 PM]

>> So the concern really is the concern that the design professionals bring forward, which is that they want to be able to have frank conversations with staff in a way that's positive and not -- and just fruitful, things like that. And I think they feel that if it's open to the public, that they're not going to be as frank with staff with regard to what works and what doesn't work and conflicts that are encountered. And so they just want to share that information with us, in a very frank manner, in a way that they don't feel like they might be -- that that information might be used against them in some future case or anything like that. They just want to be able to talk openly with staff without any constraints. Later also is it a matter of anonymity to them? Just trying to understand -- okay, I understand what you're saying with the value of that confidence, but I'm having -- I'm not understanding, then, how the public integrates into that as you're conceiving of it, in terms of the process. Because you can have conversations come up with stuff and change things and the public won't know why, won't have seen the modeling. There's probably a process that would get us to the right place. I'm just --

>> And I think there's a disconnect on our end as well because when it says substantial public involvement, do you mean opening it up completely to everyone to show, are we going to have to find a room for 50 people or a hundred people or 200 people? We don't know because it's not clear to us by what you mean by public involvement. If you're intending for those testings to take place and we put up an open call for anyone to attend, it's conceivable that we could get 200 people that want to be there. Not just the design professionals and so our concern isn't necessarily -- also, just the frankness, but the ambiguity of that direction because taken at its word, substantial public involvement, would put up an open call to the public to please attend and we'd probably get a lot of people show up.

[6:23:09 PM]

At that point there would be a lot of voices in the room, and it would be very hard for us to make sense of what direction we should be taking.

>> Alter: Councilmember Tovo, it was Yo amendment, so I'll let you --

>> Mayor Adler: Councilmember Tovo

>> Tovo: Yeah. You know, I have to just step back here for a second. I mean, we were asked to make some -- to provide some responses for some pretty general -- what were pointed, but pretty high level questions, and so, you know, providing direction that there be substantial public involvement in this process is a statement of values. It is -- it was not intended to be prescriptive, but I've got to say that a conversation around this is really of once to me, and I'm starting to feel like I should have made some very prescriptive language because I am very concerned with the kind of conversation we're having

here, where the public is -- does not appear to be a valued participant in this process. I know that's not what you intend, but I have to say that really seems to be the direction we're going down. It is a statement of values, that this should be -- that we should be doing this in concert with our -- there should be some. Do I think absolutely every time you meet with a design professional, they need to be open to the public? No. But there should be substantial public involvement. So I'm not sure that we're -- I'm not sure that we're talking about different things.

>> We may not be.

>> Tovo: It was intended to be a statement of values on the same high level that we were asked to participate in this exercise of providing direction to the city manager.

>> We can certainly take value statements, but if you're okay that we hold sherettes throughout this time period, some of which are open to the public, some of which are conversations with design professionals themselves, we'd be okay with that.

>> Tovo: And I would just say there should be times where those groups interact.

[6:25:13 PM]

Groups intersect.

>> We can set that up and the extent the design professionals would participate, that would be great.

>> Mayor Adler: Yeah. I think that they're all in accord. I think having the public is a high value on this as well, but we're not prescribing how you do it. You have a job to do and you need to do it in a way that meets our values.

>> Yes.

>> Mayor Adler: Okay. Any further discussion on the Tovo amendment? Councilmember Alter.

>> Alter: I'm just going to communicate now that I'm going to be asking questions about big changes that happen once the draft is out and trying to understand the origin of the change, and why. And so if THAs going to be coming from design professional sherettes, I don't need to know which person is doing it, but if this is coming from -- you're hearing this from folks, part of my concern about what you're talking about is the lack of transparency of where things are coming from, and who's influencing who and how that plays out. It's not a concern that they don't have value and they don't have intelligence to share, but there's too many opportunities then to influence the process without any daylight. And that concerns me, and so, you know, as you're coming back with this and you're designing the process that works to get the information you need, just know that, you know, when there are big changes, we're going to need to know, you know, the rationale and how those got arrived at.

>> Thank you. And it's our intention to share that information because we certainly envision that there will be conflict. Just what was proven in the last code testing. And we want to be very transparent with council and the public, that there are conflicts and that we're going to have to work to resolve those conflicts, and we want you to see the decisions that we make to resolve those conflicts.



>> Mayor Adler: Okay. Let's take a vote on the tovo amendment.

[6:27:13 PM]

Yes.

>> Harper-madison: I just -- I wouldn't feel right not saying this. I'd just like to point out what iinkths probably obvious, but intwa us to all take into consideration, when we're talking about the public input, who those public representatives are and O hey are not.

>> Mayor Adler: Okay. Those in favor of the tovo amendment at this point please raise your hand. Those opposed? Councilmember Garza voting no, the othersing aye on the dais. Those pass.

>> [Off mic]

>> Mdlor: You voted no, okay. Twvotoe no, Garza and Flannigan voting no, others voting aye. All right. That gets us, I think, to -- is D here at the end of question 2? I think this next one may be -- by the way, the second change on at sthet that I handed out, you pointed out there were some discrepancies, there's language in C here that was on the page that began measures to disincentivize the demolition and replacement of existing housing units with a larger housing uni then language that begins remodeling or adding units, that language was inadvertently moved up as T end of section C, it was moved down to be the end ofsection F. Buthe T language is the same, it's just a question of where it's placed. Okay? Is there anything else in number 2 that people want to bring? Councilmember kitchen?

>> Kitchen: Okay, on the amendment sheet from me, this item number 3, and it amends tiones, section 3, zoning map, and adds a D.

[6:29:16 PM]

And the language just says when mapping the 30% missing middle housing goal, the existing missing middle housing in sition areas should be part of the accounting of the area's contribution to this goal.

>> Mayor Adler: Ok. Kitchen makes this amendment. It's her new amendment number 3.

>> Kitchen: Ye

>> Mayor Adler: On her motion sheet. Amend question 2 Hou capacity section 3 zoning map as follows. Is there a second to kitchen amendment number 3?

>> Kitchen: Is there a second?

>> Mayor Adl: I ear no second. Councilmember pool seconds. Okay. Councilmember kitchen, yowant to address it?

>> Kitchen: I'm just -- what I'm addressing here is just that, again, it's informational for us so that one of our goals that we've set -- actually, throughout the document, is that we have a goal for the 30% missing middle housing, and I just am trying to articulate that in the transition areas, that we understand what missing middle housing is already there. I'm not suggesting that that changes how transition Zones are mapped, I'm just suggesting that we need to understand, as part of that as -- what's happening in that area, we want to understand what is on the ground in terms of missing middle.

>> Mayor Adler: Okay. Further discussion on this kitchen amendment? Councilmember Flannigan.

>> Flannigan: Yeah, it's my understanding that the 30% is of the new housing. That that's what the blueprint was laying out. And -- and my concern with this is that this would, one level be saying that 30% of all housing should be missing middle. And I'm not sure what that does, actually. What I'm more comfortable with is what was in the blueprint, which 30% of new housing should be blah, blah, blah, missing middle.

[6:31:18 PM]

>> Kitchen: I'm not trying to change the goal. So all I'm trying to do here -- so if that first clause is -- doesn't make sense, we can certainly change the first clause. All I'm trying to do is say that the existing missing middle housing in transition areas should be part of the accounting for the area's contribution to the goal of having more missing middle.

>> Flannigan: But not necessarily the goal as defined in the blueprint.

>> Kitchen: Well, yeah, I mean, that the blueprint --

>> Flannigan: That's what I'm struggling with, the blueprint says 0% of new housing, so 30% of the 135.

>> Kitchen: Right.

>> Flannigan: Should be missing middle.

>> Kitchen: Right. I'm just saying in the transition zone areas, I want to know what's on the ground already, as missing middle.

>> Flannigan: Sure.

>> Mayor Adler: So you're not talking about when they're mapping it because they'll map it in the Zones to be missing middle, you just want to have an accounting.

>> Kitchen: Yeah.

>> Mayor Adler: By the way, how about there.

>> Kitchen: Yeah.

>> Mayor Adler: So the staff should report how much missing middle housing is already in transition areas.

>> Kitchen: Right.

>> Mayor Adler: Can we just say that? Staff shall report how much missing middle housing already exists in transition areas.

>> Kitchen: Um, okay

>> Mayor Adler: I'm fine with that.

>> Kitchen: I'm trying to -- I would just start it as, you could take off the first clause, that seems to causing some concern, I would just say the existing missing middle housing in transition areas should be part of the accounting of the area's contribution to the goal of additional missing middle house housing.

>> Flannigan: I think where I struggle is that existing housing cannot contribute to the goal of additional housing. It's aost non- --

[6:33:20 PM]

>> Kitchen: I got you.

>> Mayor Adler: How much missing ddle housing already exists in transiti areas.

>> Kitchen: I think it should be part of th accounting when we're determining -- when we're saying our goal is 30% missing middle housing, is new, I think at the same time we should understand how much we already have.

>> Flannigan: So would another way of S-- ig not suggesting language, I'm just thinking out loud.

>> Kitchen: Okay.

>> Flannigan: As we seek this 30% of new housing as missing middle, which is defined in the blueprint,ree' saying we want that 30% of housing to be mapped which is currently single-family? Because that W be converting into missing middle?

>> Kitchen: No.

>> Flannigan: I can't imagine that's what you meant. I'm trying to understand.

>> Kitchen: How about this, the existing missing middle housing in transition areas should be part of the accounting of the area's contribution to sing mid. And then we're not trying to specify to the goal or anyin

>> Mayor Adler: But this -- that's in addition tond a on top of the 30% of new housing that should be missing middle housing.

>> Kitchen: I'm not trying to get into how that goal is applied. I just really want to know what's on the ground in the traition areas.

>> Mayor Adler: I'm okay if that's what you're saying. The staff should report how much missing middle housing is already on the ground.

>> Kitchen: Okay.

>> Mayor Adler: To ask it to Bert of an accounting or anything else like that, it begins to me to sound like you're wanting it to offset the 30% of missing middle housing that we otherwise have said is our goal in the strategic housing plan and I don't want to create that ambiguity. I don't think that's what you're intending, I just want to make it really clear that's not what you're intending.

>> Kitchen: How about the existing missing middle housing in transition areas should be part of the accounting of the area's missing middle housing.

>> Mayor Adler: Accounting for what? I don't know what the accounting is.

>> Kitchen: Accounting is a count, it's a measure, it's -- U know, it's a -- by accounting, I'm simply meaning that I want -- you know, if you'd like to use another word, let me know, but to my mind, accounting of the area's missing middle.

[6:35:26 PM]

>> Mayor Adler: So tell me what's wrong, what's wrong with saying the staff shall report how much missing middle housing already exists in transition areas?

>> Kitchen: Because I want to be part of our conversation when we talk about how much missing middle we have in transition areas. That's all. So that's -- that's why I say the existing missing middle housing in transition areas should be part. You can just say it this way, should be part of the discussion of the area's missing middle housing, if you want to do it that way.

>> Mayor Adler: Can we put in there, but in no event should count against meeting the 30% missing middle goal in housing?

>> Kitchen: No. Now you're going way beyond what I was attempting to do and I'm not willing to do that.

>> Mayor Adler: Okay. That's the ambiguity that I would be concerned about creating. So I can't support the amendment because I'm afraid that someone will read this and think that it's accredited against achieving the goal that we've otherwise set for ourselves.

>> Kitchen: Okay let me try again, that's not what I was saying. The existing missing middle housing in transition areas should be part of the discussion -- how about this way, could be part of the information provided about an area's missing middle housing.

>> Mayor Adler: If that -- would staff understand that it doesn't count against 30% of the -- obviously, it's not missing middle housing.

>> Yes.

>> Mayor Adler: What our Y language again? Sorry?

>> Kitchen: Oh. The existing missing middle housing in transition areas should be part of the information provided about an area's missing middle housing.

>> Mayor Adler: The existing missing middle housing in transition areas should be part of the information provided about the area's missing middle housing.

[6:37:28 PM]

>> Kitchen: Yes.

>> Mayor Adler: As long as you understand it's a new missing middle housing, it's old missing middle housing. Councilmember Casar.

>> Casar: Mayor, could councilmember kitchen mention if this is any different than her amendment, I think number 6, which seems to be the same issue? I don't know if we can resolve both of them right now.

>> Kitchen: That's a different -- which 6 are you talking about? 6f?

>> Casar: 6k.

>> Kitchen: That's a different issue.

>> Casar: Okay. We'll resolve this one.

>> Mayor Adler: Anybody have any problem with the language that says the missing middle housing should be part of the information provided already -- the area's missing middle housing? Councilmember Garza? >> Arza: My concern is, because of where the language started, I mean, I feel like we're going to get to a point where we say, well, this part of T already has enough missing middle, they've already built it, we don't need it there, and I don't want us to have that kind of confusion because missing middle is what people, I would say middle class people can afford right now. So I'm concerned about, like, limiting -- having language that almost puts us on a path to limit that in certain parts of town, that we need a lot of housing and, you know, the market guides -- guides much of this, but that's my concern. It just seems to be a little -- I'm not saying this is what the intent was.

I'm reading it as to be a little bit negative about missing middle. >> Kitchen: It's not intended to be negative at all, it's just asking for information. I think information is useful for us.

>> Garza: And I understand that, but the original language was basically saying what's on the ground now should count towards a future total.

[6:39:34 PM]

And so now I'm just a bit suspicious of the intent.

>> Kitchen: Well, you can be suspect and I can tell you that that's not what I intended. I don't know what else to say.

>> Garza: Okay. Well, I will just vote no.

>> Mayor Adler: Okay. Further discussion on K amendment, which reads, the existing missing middle housing in transition areas should be part of the information provided or concerning the area's missing middle housing. All right. Let's take a vote. Those in favor of the kitchen amendment, please raise your hand. Flannigan, alter, kitchen, tovo, and pool. Those opposed? Balance of the dais. Does not pass okay.

>> Tovo: ?or

>> Mayor Adler: Yes.

>> Tovo: While we're moving on to the next amendment, I just wanted to note that my staff sent me a link the information that we were discuss earlier. I thought -- I wasn't sure it existed for the Wholey, but there is indeed a map on our city of Austin site that shows lot size, pretty much district by district, so we already have that information, and I hope it will help inform some of the discussion, and if I had an ability to figure out what the link was, I'd tell you all, but I'll sort it out later when I have more energy.

>> May Adlor: Okay.

>> Tovo: But it is out there.

>> Mayor Adler: This gets us to kitchen amenent number 4.

>> Tovo: And I'll just note that there are some -- please take a look at the lot sizes in, of all areas, since we've bn discussing it a lot. Hyde park and north loop. There -- there's a big patch of smaller lot sizes, also, and I'm sure -- well, and there are varying degrees of differences throughout the city, so it's -- it will be informative.

>> Mayor Adler: Good. I think we're now to councilmember kitchen amendment number 4.

[6:41:39 PM]

>>Chen: Okay. This is on -- this is under question 3, missing middle housing types. The zoning map. This adds -- let's see -- okay. This just adds language to -- again, it's a request for information. It says staff to additionally provide options for timelines and methods for implementation of changes to zoning to achieve additional housing capacity and affordable housing goals.

>> Mayor Adler: Okay. Councilmember kitchen moves amendment number 4. Is there a second to that? Councilmember pool seconds that. Discussion? Any discussion on this? Councilmember Casar.

>> Casar: My assumption is that this means provide options and timelines for additional housing capacity beyond those that would be contained in this -- this year, beyond -- how to do more -- when you're saying additional housing capacity, you mean beyond what is contained in the new code and map this year.

>> Kitchen: No, that -- can I respond? No, that's not really the focus of the sentence. The sentence, when I say additional housing capacity, I'm really referring back to our goals throughout this whole thing. So additional -- overdraft 3. So what this ends to focus on instead is that I'm asking for options for timelines and methods for implementation of the changes that we're making now. So that kind of goes back to -- we had a conversation earlier about non-conforming uses, for example, so non- -- how you handle non-conforming uses is a method of implementation, so I just want us to have information about how we're - how we're going to implement this.

[6:43:39 PM]

So, you know, the best example I can give is, you know, what happens if we upzone an area, or if we upzone a lot, how are we -- how does that then happen? How does that get implemented? So how you handle non-conforming uses is one way it gets implemented. There may be other things, too. So I think it's important for us to understand what the timeline is and our methods for implementation when change zoning.

>> Casar: I think I just want to implement what we get done this year, this year, I won't go for this, but could if it said beyond what we're doing this year.

>> Kitchen: What do you mean by implement? Tell me what implement means to you.

>> Casar: I don't want to get out of line, give other people a --

>> Mayor Adler: Okay. Councilmember Lannan fan.

>> Flannigan: When I first read this I really liked it because I thought it might help address one of the concerns I have, which is a 3-year code but a 1-year housing goal, and I thought, well, that -- I don't know that doing a 3-year housing goal and zoning it today would make sense because overzoning can manipulate the market in a way that you don't get the thing you want today. So that made sense why we would zone for 10 but not 30, but it would be nice to know how do we get between years 11 to 29. >> Item: Chay.

>> Flannigan: So I would like this -- I mean, that's how I read it initially.

>> Kitchen: Uh-huh.

>> Flannigan: But I'm hearing it's not your intent.

>> Kitchen: Well, it's not my entire intent I'm certainly happy to address that part of the intent.

>> Flannigan: Yeah.

>> Kitchen: My intent is the whole life-span, not just 10 to 30, but --

>> Casar: I'll move an amendment then, considering I heard that from councilmember Flannigan if it is in order. I move to add the words beyond those contained in 2019 new code and map.

[6:45:41 PM]

>> Mayor Adler: Beyond those contained in the 2019 new code and map, at the end of the sentence. Is there a second to the amendment? Councilmember Flannigan seconds it. Discussion?

>> Kitchen: I'm still not understanding what -- I'm simply asking for information about -- what does implementation mean? To folks on the dais who think that -- who are thinking in terms of implementing now, what do you mean by implement?

>> Mayor Adler: Councilmember sar.

>> Casar: I think the point being, let's say that we zone something for missing middle.

>> Kitchen: Okay.

>> Casar: Under this code and map. Then, obviously, the staff have to implement that, it takes them a while to train staff and do all that, but the idea would be at the end of that implementation phase, people could build a missing middle, right then and there. But what I'm saying is, but I would want staff to provide us options and timelines for more housing capacity beyond that because we have years 11 through 30 to worry about as well. But I want years 1 through 10 to be -- to be mapped now and to be five as soon as possible.

>> Kitchen: Could I ask another question?

>> Mayor Adler: So let me ask a question because I think I hear what you're saying. I think that you're saying is, we're going to have a new code.

>> Kitchen: Right.

>> Mayor Adler: And there's going to be a time to implement the new code. So is it that staff will provide timelines and methods for the work -- or implementation of the new code and map?

>> Ken: Yes, but I'm also saying, see, what I'm meaning is that implement means map, mapping to some folks, but there's much more to implementation than just a map. So, I mean, THAs certainly a piece and we're certainly all talking about doing that, but putting a zoning on a map doesn't mean it happens. And so I'd like to understand the options for implementing.

[6:47:43 PM]

And that's all what --

>> Mayor Adler: So would you be okay with language that just said staff to additionally provide options for timelines and methods for implementation of the new code and map? Because that takes it --

>> Kitchen: Sure, that's fine.



>> Mayor Aer: Dloks like there maybe a different timeline for additional housing capacity -- I think that's what people are reacting to.

>> Kitchen: Ur language is fine.

>> Mayor Adler: Okay. Does anybody have any objection to saying staff is going to tell us how they're going to implement new code and map, give us timelines and --

>> Alter: I'm not objecting to that, I just wanted to address thether concern, the whole point offing to the code is that you have zoning categories that will be more useful to us, when somebody comes in for a zong code and has aroject, it'll go much fteras and in more easily, then you have the planning process, and so those would be the two big tools, as I would see it, as how you increase capacity over te. It just will have better tools because we'll have a different set of codes and we will have a planning process that will be focused on district area plans.

>> Mayor Adler: Ann, a yourekay with this and Greg, are you okay this? Let's change the LE toag say staff shall additionally provide options for timelines and methods for ilementation of the new code and map and let'sove M this out of this section up into section 1 where we're talking about the scope of the -- of the project. Because that's what it's talking about, the overall scope, it's just not talking about housing or missing middle.

>> Kit: I'enokay with it. I'm not sure if it gets to councilmember Flannigan's --

>> Flannigan: I'm fine with in a but I don't want to lose the the on -- maybe it's just a clause at the end that says including options that address beyond the ten-year strategic housing blueprint goals.

>> Mayor Adler: There are two thoughts in here. The first one, staff to provide option methods for implementation of the mu code and map, and then we could say, and for additional housing capacity and affordable housing goals beyond those contained in the 2019 new code and map.

[6:49:44 PM]

Is that okay --

>> Flannigan: I wouldn't say 2019 but --

>> Mayor Adler: Greg, you okayth twit? Let's move it up intoection number 1 andt's going to say staff to provide, we can take out additionally, staff to provide options for timelines and methods for implementation of the new code and map and changes to zoning to ach additional housing capacit and affordable housing goals beyond those contained in the 2019 new code and map.

>> Flannigan: I woul say 2019.

>> Mayor Adler: Just say the new code and map.

>> Kitchen: I'm sorry, could you read it just one more time?

>> Mayor Adler: Aff to provide options for timelines and methods for implementation of the new code and map and to achieve additional housing capacity and affoable housing goals beyond those contained in the new code and map.

>> Kitchen: Okay.

>> Mayor Adler: Counbeemcir tovo.

>> Tovo: The first part makes sense to me. The second part seems impractical. I don't know what that looks like. It comes back a second set of options that we're going to consider now for the future? It just -- I mean, I just -- I'll just register, I have no understanding of what that means. Like are we adopting it as a future land use map? That this is the zoning after we pass the land development code and maps and then at some future point we're going to adopt -- you know, we're going to move toward the next level, or -- you know, I just -- it just doesn't -- it just seems to be sort of untethered from --

>> Flannigan: I think it might be a simple -- I'm sorry.

>> Mayor Adler: Go ahead.

>> Flannigan: I think it might be as simple as staff saying, then five years from now, we're going to get everybody back together, we're going to get the gang back together and we're going to talk about how to achieve housing goals in the next decade.

[6:51:49 PM]

But mostly, I just want to acknowledge that we're adopting a code that will probably last for 30 years but we're setting a ten-year goal to do it. So just noting that this process is going to continue to evolve.

>> Tovo: Okay.

>> Mayor Adler: I think the goal is make sure you're not holding up the new code and map by trying to figure out what the next STE is. Right? So don't hold up the new code and map, but certainly bookmark that and we'll move that up to section 1. Okay.

>> [Off mic]

>> Mayor Adler: What? The food is here? All right. So let's take a 30-minute break. It is 6:52. Let's come back here at 7:30 -- 7:25. 7:25.

[Council is in recess until

[7:44:25 PM]

>> Mayor Adler: Just in case people are going to hear a voice, we're missing Delia and Natasha. Should we see where we are? I have a finishing all of number 3. That gets us into question number 4, which are

compatibility standards. The first amendment I have on that is number 2, codenext section. I think this was also amendment 12. Ann, I think this is yours.

>> Kitchen: Okay. So this is -- this is on my motion sheet, it's motion she number 5, and is is a focus on compatibility triggers THA are the non-zoning ones. And so it's adding a little I and two II under it, and it's asking to include standards related to noise uses, utility screening, side buffers, trash, loading and pickup Zones, as well as shield lighting. The second oneelates to green infrastructure from graph -- excuse me -- draft 3, tree preservation policy, tree canopy, to enhance walkability and curb heat island effect. What I attempting to do with this one is, as we increase density along our cridors, there are a whole range of standards that relate to how the higher density areas intersect with the lower density areas, whether those are multifamily or

[7:46:44 PM]

--or single-family, and this just recognizes those as saying we need bring back standards that relate to these. In other conveations we've given examples. For example, the east Riverside corridor addressesndarta like these. This language is not suggesting any particular standard, nor is it referring to any -- you know, any other example. It's just saying that we need to include these standards

>> Mayor Adler: Okay. Councilmember kitchen makes the amendment. Is there a second to the amendment? Councilmember alter seconds that. Discussion? Councilmember Garza.

>> Garat dwwhy you mean, include these standards?

>> Kitchen: Well, what I mean is that our land development code needs to have sndards related to all of these things, and so, you know, it -- so I'm not attempting to prescribe what thosendarta should say. Our existing code has stands --rdome standards related to these and some not, so I think all these subjects are probably addressed in our existing code, but there's improvements that need to be made to them. So, for example, I don't know if it's helpful, but to give you an example, you know, trafor example, folks in neighborhoods th I represent have had difficulties are placement of dumpsters and the picking up of trash in the middle of the night where dumpsters have been placed right next to single-family homes, which causes difficulty with sleeping. So this is just an ackwledgment that these kinds of -- these kinds of subject matters, we need to have standards for.

[7:48:47 PM]

And it's going to become even more important than it is now, there we densify along corridors.

>> Mayor Adler: Furthe scussions? Go ahead. Finish.

>> Garza: My concern is that we just went through the whole discussion about the prritization and how we want to see -- we didn't want to talk about specifiching T because we wanted to see how the -- you know, not prioritizing the non-zoning kinds of INGs would affect our -- our -- our ability to add necessary

housing in a housing crisis, and I'm also just a little concerned about my -- you know, I think people keep forgetting we're a big city now, and we want it, like it, I mean, there's noise. And I know exactly what you're talking about, dumpster -- there's a business next-door to us that they come and pick up that dumpster at 3 o'clock in the morning sometimes, but we've lived with that. So those are just my concerns in adding another layer of standards or regulations to an already complicated process.

>> Kitchen: Well, we could

talk to staff. >> Mayor Adler: Okay.

>> Kitchen: Because there are standards in place right now and they're part of -- this is part of --

>> Mayor Adler: Ann, let me get some other --

>> Casar: I'd like to make a motion --

>> Mayor Adler: Aay, go ahead.

>> Casar: So my amendment is number 7 which I hope addresses some of what councilmember -- or mayor pro tem Garza brings up, which is just to add here the revision should consider providing options to do the following things. And I'll explain that in a second.

>> Mayor Adler: Is there a second to the Casar -- councilmember Garza.

>> Casar: So I think this goes to the intent of how councilmember kitchen actually described this, which is not prescribing exactly to which Zones, exactly how it works, but instead, to say these things are important things, provide some options for how to do this well, because clearly, for a really large development that is many stories tall, there might be the room for a side -- for a side buffer, whereas something small, something crucial on a very small lot, having a side buffer may not make sense.

[7:51:15 PM]

So instead of just -- instead of potentially -- implying that all of these things should be applied on all of these corridors, instead, provide options for how we can incorporate this stuff, knowing that our primary going is to get the housing and transportation goals hit.

>> Mayor Adler: Councilmember Flannigan.

>> Flannigan: I mentioned this last week and I don't necessarily know that I need to make an amendment but I have real issues with the way draft 3 did no build-in vegetative buffers. I think there's still open questions on the impact those buffers have on our goals, especially when it comes to housing unit yield. One way to read this is that we want to maintain no build-in vegetative buffers of some kind, but that they apply to commercial properties, not residential properties, because we want to maximize residential yield. Another way to read it is to apply vegetative buffers to residential properties in order to protect them from the thing that is next-door. There's a little bit of agent of change question involved for me. I don't know that that should be changed given councilmember Casar's amendment because councilmember -- it says include options 4, and the side buffer B thing seems to address some of

that. But in total, I'm going to be providing staff with all of my input that I gathered on reading draft 3, which will include this stuff, but I want to be clear, at least for my part, that the sections of draft 3 that talk about these buffers have issues.

>> Mayor Adler: I think I'm going to support -- I had the same concerns, I think, that councilmember Garza had, but I think that my concerns are met with the CAS amendment. We don't want to undo the conversation we had about priorities. We want to make sure that we stay focused on that. At the same time, I do want the staff to consider these things and see how we can accommodate them and provide for the concerns that are addressed. So I'm going to support Ann's deal with the Casar amendment.

[7:53:19 PM]

Councilmember kitchen.

>> Kitchen: I'd like to suggest that the language say, on Casar's amendment, the revisions should provide options, instead of consider providing options. And the difference I see is that --

>> Casar: That's fine.

>> Kitchen: Okay.

>> Mayor Adler: Any objection to that? Hearing none, we'll make it provide options. With that change, are okay with the kitchen as amended by Casar? Okay. Then that's in. Yes.

>> Garza: So one of those options would be that there would not be these standards. Okay.

>> Mayor Adler: Okay. All options. All right. That gets us then to, I think, gets us to D. I think councilmember Tovo. Number 5, think.

>> Tovo: I think I have a couple for this area, I think I have one that goes back.

>> Mayor Adler: Okay.

>> Tovo: But I'll do first. As a matter of fact, let's see. I have altered the language a bit and I need to find that.

>> Kitchen: I think she has a different amendment that be what you have.

>> Tovo: I rewrote it just to be a little more clear and I'm going to need to find that.

>> Mayor Adler: Different than the yellow sheet you handed out here?

>> Tovo: Yeah. I have another yellow sheet that's a little better. I'm going to need -- I'm going to need to come back to that.

>> Mayor Adler: We can do that.

>> Tovo: I think I do have one --

>> Mayor Adler: The next one I have on my chart is for F.

>> Tovo: Yeah. Item 4, which I distributed, is a new N at this section.

[7:55:24 PM]

>> Mayor Adler: Okay. Let's hold off on that and let's go to F. Kitchen.

>> Kitchen: Okay. So you want to G to question number 4, my number 6?

>> Mayor Adler: Yes, your number 6.

>> Kitchen: Okay. I'm actually ING to pass on F. I'll go to H and J if you'd like, but --

>> Mayor Adler: Where do H and J go in?

>> Kitchen: It's the same place.

>> Mayor Adler: Then go ahead and do those. So you're passing on F.

>> Kitchen: Uh-huh.

>> Mayor Adler: So we don't have to look at F. All right. H?

>> Kitchen: Okay. So H -- so -- okay, let me get to the right pageere. So H and J are really the Sam concept, so if you'd like, I can speak to them.

>> Mayor Adler: That's fine.

>> Kitchen: At the same time.

>> Mayor Adler: Go ahead.

>> Kitchen: So my concern is that we're being -- I would like to be -- I think it would be more prudent if we were less prescriptive and so all I'm doing there is crossing out rm1 and above in H, and then in J, I'm crossing out -- r4 should be the least intense zone within a transition area. So, you know, at the end of our -- of oime tonight, we did go through -- there were a number of provisions that we went through that were in this section that we determined to take out because they were -- I thought we were taking them out because they were more prescriptive than was -- than needed. In other words, that theyould C inadvertently tie the staff's hands. And so we have an example that was given tus about the rm1 and r4 and a suggestion that by including this, it was inadvertently -- inaertedvly being prescriptive in a way that we might not want.

[7:57:27 PM]

So I can take y'all through --th posted the example. Was an example, exhibit Abo rm1 zoning classifications --

>> Mayor Adler: Forebeou go to it, hang on, L's take them each one after the other.

>> Kitchen: Okay.

>> Mayor Adler: First let's take up H, which is to strike rm1 and above. Is there a second to that? Councilmember Flannigan seconds that. Now go ahead. Discuss that one.

Kit>>en: Okay. So the example that was provided to us by someone that was pointing out that the rm1 zon classification actually did not allow as many multifamily units as are on the ground now -- >>ayor Adler: Let me ask this question. Does anybody object to striking rm1 and above here? Councilmember -- okay. You want to hear what councilmember harper-madison's objection is?

>> Harper-madison: More than an objection, I'd like an explanation. I don't understand it.

>> Kitchen: Okay. Shall I go ahead?

>> Mayor Adler: Go ahead.

>> Kitchen: Okay. There's an exhibit that goes into some detail,ut basically --

>> An exhibit?

>> Kitchen: Well, it was posted, I'm sorry, I probably didn't pass it out. It was an example that was provided to us, emailed to us, but basically, so, for example, rm1 doesn't allow for as many multifamily units as are actually on the ground in some places, so -- so, for example, rm1 does not allow more tn 18 units per acre, whereas the example that waprovided to us was actually of some multifamilyng isi a particular area on avenue a that already had over 18 units. So it was just an example that said that it's better -- suggesting that it' better to give staffome flexibility in what zoning category they use to -- to zone the multifamily areas inransition Zones.

[7:59:40 PM]

So that was the intent there.

>> Mayor Adler: And I'm fine with this because when this was originally written, we had the rm1 included because that was the zone that didn't trigger.

>> Kitchen: Right.

>> Mayor Adler: But it doesn't necessarily have to be. So I'm fine with your ame.nt

>> Kitchen: Okay.

>> Mayor Adler: Any objection that amendment? Hearing ne, that amendment is incorpor. Why don't you go then to J

>> Kitchen: J is the same concept. R4 should be the least iense zone within a transition area. So, again, theffort here is to allow the flexibility for staff tose the right zoning category. My thought is that this is too prescriptive.

>> Mayor Adler: Sion? Councilmember Casar.

>> Casar: I think that we want to provide clarity to people what is going to be in transition Zones, generally, and to me, r4 is that fourplex type thing, so I think it's important to let people know it's going from lower level enough Zones to fourplex type Zones so I rat'dr leave it in.

>> Kitchen: Can I speak?

>> Mayor Adler: Hang on a second. See if other people want to speak as well. Kathie?

>> Tovo: I think less prescriptive makes sense. So just want to point out if what we're saying is the least intensive -- the least intensive missing middle that we're going to map in a transition zone is r4, we're not talking about draft 1 anymore, we're talking about really about draft 1. I mean, this is much more intense than draft 3. So I think we should acknowledge that.

>> Mayor Adler: Further discussion? Councilmember Flannigan.

>> Flannigan: I'm fine with striking this because I think inherent in the question is how big the transition zone is, and so I don't even know what the least intense zone I want or that we might want in a transition zone, if we define them really narrowly, then the transition zone maybe ends with a four-unit right, but if we define the transition zone long, maybe it ends with a two-unit right, I don't know.

[8:01:47 PM]

But I'm not ready to prescribe that so I'm fine with striking this line. >>Yo C

>> Mayor Adler: Yes. Hang on a second. I think councilmember Kitchen was next.

>> Kitchen: Yeah. I would just echo what my colleagues said, what councilmember Flannigan said, too. I think we don't know exactly what we're going to see in these particular areas. We haven't mapped them yet. And we've given lots of direction to staff about how we want more density in these transition areas. So I think it's unnecessary and too prescriptive. So -- and I think it could end up with inadvertent issues. Like councilmember Flannigan gave us an example of.

>> Mayor Adler: Councilmember Garza.

>> Garza: I think this could be direction with, like, a qualifier of r4 should be the least intensive zone within a transition area, and then I don't know what -- something about staff -- you know, that's not saying it says it should be, and staff can -- I think this provides us the option, the direction to staff, this is what we want, but if there are instances where this is not appropriate, let us know. I think that that's -- this language as is, still gives staff that option. It doesn't say must, it says should.

>> Mayor Adler: Councilmember Casar.

>> Casar: My question for councilmember Flannigan is, currently the document says the transition zone will be two to five lots deep, and so I'm just trying to set the expectation of within that short transition zone, r4 I think is what you're getting at the end, then after that, you could do three units with the



preservation, according to this document. And so I -- if the transition zone were longer, then I think you could have some r3, for example, but right now, with just, you know, two to five lot in, I think we should be allowing at least fourplex, which is my intention here.

[8:03:56 PM]

I think to your point, if it's going to get longer, then I think we could allow things smaller than fourplex but it's only going to be two to five, as it says in this document, I think we should give people the expectation we mean on that fourth and fifth lot, it's fourplex so r4 or fourplex would be my preference.

>> Mayor Adler: Councilmember Ellis.

>> Ellis: I also think it's reflect.

-- Thinkit'spful. I recall when we were talking about going to seven transition Zones, us together kind of making that decision, if we're going to go back to five Zones, five lots, that we're going to need to be a bit more prescriptive about what to do with that transition zone. And a lot of the discussion that I even heard a year ago was, we need more density along corridors and we need to make better use out of our siting Zones. That's why I think it's important to leave it in.

>> Mayor Adler: In front of us is the kitchen amendment to J. Ann?

>> Kitchen: I'm trying to think of some language that could capture what councilmember Garza had suggested because I think that that's really what we're trying to get to. Because I'm not -- I'm not seeing it exactly here, but maybe it's something like r4 should be the least intense zone within a transition area subject to staff's considerations of what's appropriate, or something like that? Does that make sense, councilmember -- okay. So subject to staff's consideration of what's appropriate?

>> Casar: I think we can handle

that. >> Mayor Adler: Okay. Anybody object to adding at the end, keeping J in, but adding at the end, subject to staff's consideration of what's appropriate. Councilmember alter.

>> Alter: Can we, at the very least, put fourplex next to r4? Because nobody but anybody on this dais is going to have any idea what this means, so it's clear for folks what is intended.

[8:06:06 PM]

>> Tovo: And I'm just going to -- we don't need to take a formal vote but I'm going to register my

objection to that. >> M or Adler: Does anybody have any objection to changing substitution for fourplex for r4?

>> Flannigan: Only because I agree the intent councilmember alter laid out, I don't think that's clear enough, it could be a triplex with an Adu. It's just four units.

>> Mayor Adler: Four units?

>> Flannigan: Yeah. Which is my understanding of what r4 represented.

>> Mayor Adler: To clear, can we say four house scale units?

>> Flannigan: Ld boufour units within the house scale

>> Mayor Adler: Four units within --

>> Flannan: Ighouse scale.

>> Mayor Adler: -- A house scale. Four units within a house scale should be the least intensive zone within a transition area, comma, subject to staff's consideration of what's appropriate. Councilmember Casar.

>> Casar: And so this is where -- if we want to say that, then my recollection also of r4 is that you could get more units with a bonus on top of those four for affordability so if we want to start getting to the point where we explain that, or staff just understands what we mean, we don't have to write that mean, they just generally get it when we say four units within a house scale, we're not saying don't include a density bonus if it works.

>> Mayor Adler: Right. You have to read this whole document in conjunction with each other. Any objection to that language? Hearing none, that language is in.

>> Pool: Mayor?

>> Mayor Adler: I'm sorry, hang on a second councilmember alter, then councilmember pool.

>> Pool: If you're not going to put it to a vote, I want to register my objection to this as well.

>> Mayor Adler: Let's put it to a vote. Those in favor of J, please raise your hand. Those opposed? It's alter, pool, and tovo. The others voting aye. J is in with that language change.

>> Alter: Staff wanted to make sure that I was clear -- that I'm clear.

[8:08:11 PM]

So what you just voted for is that the least intensive zoning within the transition, which will be generally two to five, would be four units within a house scale with a possibility of a bonus on top of that.

>> Kitchen: No, there was more to it than that.

>> Alter: But I'm in favor of --

>> Mayor Adler: That's correct.

>> Alter: I mean this, there was the caveat the staff could do something different but I just wanted to make sure that I'm not misspeaking that the intention is that.

>> Mayor Adler: Correct. The transition area is an area in between the commercial activity and the normal single-family home that is less than the commercial corridor but more than the single-family home. H

>> Alter: I'm going generally two to five, the least intensive that you're imagining is four units within the house scale with some discretion for staff to do something different and the possibility of a bonus on top.

>> Mayor Adler: Correct.

>> Tovo: And, mayor, and I assume a preservation bonus also applies here, so you could be looking at as many as five units on those existing units was preserved.

>> Mayor Adler: If people want to preserve the existing home, that's correct. Councilmember pool.

>> Pool: Yeah, I just wanted to point out that we've really changed the intention of where Ann kitchen -- councilmember kitchen was going with her original request simply to remove that, so I'm definitely opposed to -- I supported what councilmember kitchen was going for with her amendment --

>> Mayor Adler: And your objection is noted.

>> Pool: Thank you.

>> Mayor Adler: Let's look at the next item. Next thing I'm seeing here is --

>> Pool: Mayor, I think I've got one.

>> Mayor Adler: Okay.

>> Pool: My motion sheet 3 is down here -- I think that's L, at the bottom of the same page that we're on, page 9.

>> Mayor Adler: Okay.

>> Pool: And it's the final bullet on the page, says drainage considerations, the city manager shall also use the following conditions as appropriate, when mapping transition areas, and I simply wanted to add two words, "And flooding," to drainage and flooding considerations.

[8:10:24 PM]

And that allows us to have a full picture of --

Mayor Adler: Does anybody have any objection to adding the words and flooding? no objection, that's added.

>> Pool: Thank you.

>> Mayor Adler: Yep. Okay. Ann?

>> Kitchen: I have another -- it's really a question related to E, when you're ready for it.

>> Mayor Adler: Okay. Back up to E. Okay.

>> Kitchen: Do you want me to go ahead?

>> Mayor Adler: Go back up to E, yes.

>> Kitchen: Okay. So my question on E is -- I have two -- I have two questions E and -- so -- and it rat to -- the first question -- well, actually both questions relate to little 4. I think what I'd like to do is I'd like to have the map put up that was in backup. So if staff could put up the map of the -- of the street grid that wasn't backup, because that will help me with my second part of my question on this. So can someone take care of that?

>> Mayor Adler: Which map?

>> Pool: It was posted and it's the map of the transitio zone areas. So --

>> Mayor Adler: You're talking about the map that had been on Greg's thing ? >> Pool: I don't know who did it. It's posted T backup, not to the me age board.

>> Mayor Adler: Okay.

>> Pool: Let me ask my question here. So it says loc ined a higher opportunity area. And I'm asking, shouldn't that just be high opportunity area? When youook at -- when Y loooou at the enterprise opportunity 360 index, it doesn't use T term "Higher opportunity area," it uses the term "High opportunity ."Ea so my assumption is that's what was meant there, but I just want to double-check.

[8:12:29 PM]

And if so, could we change -- make that change?

>> Mayor Adler: In Roman numeral lower case 4, it says located in a higher opportunity area, the question is should it say located in a high opportunity area.

>> Pool: Yeah. I'm notdinginny document that --

>> Mayor Adler: Does anybody have any objection to striking er? Counciember Casar?

>> Casar: I have no objection, I just want to double-chec K.I think the way we got to the word higher -- I'm looking at the housing staff just to make sure I get a nod -- housing blueprint and other documents used a different map that went from morate to high, so we wldou describe that as higher, but my understanding is now we use this index as described by councilmember kitchen that just uses high and emerging and not higher; is that right?

>> Erica leak, neighborhood housing. Yes, and I think my only question would be, is the idea that there areiffe dnt distinctions within the way opportunity 360 defines opportunity, and -- and they could be broken -- let's say they could Bero into four categories, so the question for me would, are you wanting

to focus on the -- two of the, you know, higher than low, or just the -- or just the one that is actually specifically defined as high

>> Casar: Well, the map we have in front of us now has high emerging, and then non, which is the categories. What's the fourth category, do you know?

>> I wasn't -- I was just saying if there were four. So I think my question is, are you wanting to include both high and emerging? Or just high? The emerging would obviously include a wider area of the city.

>> Mayor Adler: I think it's high.

>> Casar: I think so too.

>> Mayor Adler: High. Any objection to siking the er? Seeing none, it's high.

[8:14:29 PM]

Okay. Taking out the "Er."

>> Kitchen: Okay. Then myond question, if you want to put that map back up there, my second question, this is distances from corridors and centers a quarter mile andalf H mile, which actually, I know that we're not doing transition Zones within a quarter or half mile, but thisap happens --L, maybe -- I'm wanting to understand --

>> Mayor Adler: Which section are you in now?

>> Kitchen: I'm trying to think which is the right map. I still have questions on number 4. It's the same -- same line that I'm asking questions about.

>> Mayor Adler: Okay.

>> Kitchen: I'm wanting to understand how this would be mapped because it talks in rms of -- you know, generally speaking, when we're talking about transition areas, we're mapping off of a street. So what does this mean? Because this says some or a of the following criteria. So I'm just wanting to understand what is meant and how would you map a high opportunity area?

>> Casar: Are you make your question a little more specific? Because I don't want to answer the wrong question.

>> Kitchen: Okay. Because -- I see two possibilities. Actually --

>> Casar: They're all off of -- they're all off of a transit priority network or activity center or corridor.

>> Kitchen: Okay.

>> Casar: So that always makes them at least tier 1. As they more criteria, the they would increase.

>> Kitchen: Okay. So that answers my question. So to map a high opportuni area, they have to be off of a transit priority network or an imagine Austin center or corridor. Is that right?

>> Casar: That's right. Then it being high opportunity mean likely more -- more length or --nd more missing middle up to five lots, under this regime, than if it weren't in a high opportunity area.

[8:16:31 PM]

>> Kitchen: The reason I'm asking that is because we have said that one of our goals was to -- to have missing middle housing and affordable housing all over the city.

>> Casar: Yes. >> Kitchen: And if you look at the map of the high opportunity areas in Austin and you compare that to a map of the transit priority areas and the activity corridors, here are some significant parts of town that are not included that are high opportunity areas, and I just wanted to understand if that is -- is that the intention?

>> Casar: Mayor, can I keep going?

>> Mayor Adler: Yes.

>> Casar: I would be happy and fine with adding more transition areas in high opportunity areas where there isn't a corridor or transit priority network. I just started from the place where we saw -- from many of the work stations, the transition areas would come off of those. But if there were areas for adding more that had a broad consensus, would certainly be supportive. Basically, we built that criteria off of a starting place of transit priority corridor, if that makes sense, and center.

>> Kitchen: Okay. Could I ask another question?

>> Mayor Adler: Let's give Mr. Flannigan a chance to jump in.

>> Kitchen: Okay.

>> Flannigan: I just wanted to tell something I brought up on Thursday is some of these centers are not so precisely defined that we can really say a quarter mile or half mile from them. The two rail centers in district 6, for example, are significantly larger than the circles that appear on that map. Robinson ranch especially has huge entitlements. That would be much larger than the Lakeline center would be larger than the circle on there too. I want to make sure we're not losing that part of the land.

>> Mayor Adler: And again, I think it's pretty important to note again that this is not drafting the ordinance so we don't have to be exact. We're trying to give direction to -- generally to staff and they'll come back with something that then the entire community will have months to address and say it doesn't work here, it works here, and don't do this, and do that, kind of thing.

[8:18:34 PM]

Councilmember alter.

>> Alter: I wanted to ask staff, this is the first I've heard that there's two different measures R high opportunity, and I know that the map that was put in backup is not the map that I thought Wead lded on with codenext, so it doesn't take half -- half of my dist is preserve and greenbelts and parks and none of that is there, and we've had many, many conversations about how if you just slap it on he ever the whole thing, it doesn't actually represent the developable area. Now I'm also hearing that there T two different maps, if understood correctly

>> So I think you're talking about -- let me make sure I understand. So you're talking about this map th'sat being shown now versus the P --

>> Alter: Going back to the high opportunity map as -- mig I have misunderstood something that was said, but I got the impression that there was one way that we were -- that this cument had mped from a particular tool, envision whatever, I don't know what that's cled,al and that in the strategic housing implementation blueprint, you were using a different measure, so I wanted to understand the difference, first of all.

>> Sure. City of Austin used to use the tier 1 oortypp index, but the data in that is -- has not been updated for numerous years, and we didn't have any way T uate it on a regular basis. And so we have switched to using opportunity 360, which is -- which is more easily updated, and so that was what was used for the housing blueprint implementation plan.

>> Alter: And that's the same thing that's on this map. Is that correct?

>> I think so. I haven't seen that map.

[8:20:37 PM]

>> Kitchen: Here.

>> Mayor Adler: The answers yes.

>> Alter: Okay. Then my second -- is more of a comment, and I't now that we have to put it in this direction because you're going to have to do it anyway, but as you're looking at high opportunity, no matter how you're measuring it for district 10, we have preserves and we have parks, we have critical water quality Zones and things take up a huge rtion of the map, andhose need to be accounted for that the high opportunity doesn't apply or you're going to get very misleading results. And I would ask that the next time you put up a high opportunity map, that you take those areas out because it's not an accurate assessment of what we need to work with.

>> Mayor Adler: Okay.

>> Alter: Moving forward.

>> Mayor Adler: Thank you. Councilmember kitchen.

>> Kitchen: And, yes, I don't -- there are areas to the west that include envirtal features and preserves and things that wouldn't be appropriate for transition Zones, but the reason I'm pointing this out is

because, to the extent that we do not consider -- and thing not really the right map. And it's also -- should be turned this way. So I think I'd rather -- I'd rather put up this high opportunity map if some could put this up. I just want us to understand that in areas of the southwefor, example, and to a lesser dege the northwest, we are -- there may be areas that we're not taking advantage of additional density, and I think that to the extent that we do not consider the whole city with regard to high opportunity areas, we are missing parts -- we're missing part of our goal. So that's why I wanted to ask the question, and it was also confusing to me because I wasn't certain what the intent was.

[8:22:38 PM]

So, councilmember Flannigan, I se thaeyou have a lot of -- you already have a lot of transit things going in the northwest, you know, so the map extends over. I don't know enough about your district, about whether there are areas that would be appropriate or not. So you wld know that better than I would.

>> Flannigan: If I might, one of the challens for distric6 is, the Robinson ranch is a B part of that, and it's already got its full entitlement, but its alleches of development are fairly unique, and most of the hi opportunity area is loced within centers, regional centers, a lot of that is captured. Th real challenge is more to what councilmember alter pointed, as you get down 620, it's the northern half of preserves just like her preserves in district 10. Those become challenging, as you get down on the 2222 corridor, in terms of transit and other services but the 183 corridor is pretty substantially either in -- in those corridors, in centers, etj. I've got a lot of weird holes in there that won't get zoning at all and won't count towards our goals, but because it is etj, it wi get redeveloped becau there are no counties. So as a region, there will be more housing, inevitably.

>> Mayor Adler: Okay.

>> Kitchen: What about the southwest?

>> Ellis: I think staff is going to evaluate this a they always do in ways that fully consider our watershed protections and where we areble to do things. I would welcome -- I don't know if we need to amend the language, but given the opportunity to see that if there are places that are typically underserved by denser housing that cld be available, I would be more than hap to look at those opportunities.

>> Kitchen: Okay. Well, then I think we just need some clarity, that we are going to consider transition areas in all of the high opportunity areas, subject, of course, to the environmental concerns that have been raised, which includes preserves, as far as I'm concerned.

[8:24:53 PM]

>> Mayor Adler: Does anyone want to make an amendment? I think Kathie has handed out her amendment 5. She's ready for that.



>> Alter: Can we C that missing middle? It's very confusing to all of a sudden have a transition area that's not a corridor -- I'm trying to understand it but, like, taking aback it as if it's a transition zone when there's no corridor or center, it helps to create confusion that --

>> Kitchen: Well, I don't know how to address it -- I don't know how to address it. I don't know if councilmember Casar had a suggestion, or maybe we just use open-ended language that says that the staff should consider where it's appropriate, you know, taking into account environmental concerns and that sort of thing. I think we're putting -- frankly, we're putting so much pressure on the central city, and we have said that our goal is high opportunity areas and all throughout the city, that we should acknowledge that and give some staff some direction, one way or the other. So -- so I think that, you know, perhaps there are two sentences or two that need to be added here.

>> Ellis: Can I respond to that? >> Mayor Adler: Yes.

>> Ellis: I would be open to that. I don't know what the appropriate amended language would be but I wanted to identify that I live in a multi-type housing situation in an imagined Austin growth corridor that is right on the greenbelt, and I think our staff has done a lovely job of making sure that is an opportunity for me, and I think they would do that for other people as well.

>> Kitchen: That's great. I think that's good. I just think that we should be clear. So...

>> Casar: I could work on typing something up, maybe we take up another amendment as we type something and --

>> Mayor Adler: Okay. Let's come back to that. Councilmember Tovo? Do you want to do your --

>> Tovo: Sure. This is just a slightly reworded version of the amendment that I distributed last week on the dais and posted on the meeting board.

[8:27:00 PM]

And this is -- would go on page 10 -- no, sorry. On page 8, where we're talking about the zoning map, and it would suggest to the staff that on exception to mapping the transition zone would be instances, market affordable or missing housing is adjacent to a property fronting a corridor or according to specific context sensitive criteria. We had talked about that last time where we don't want to be mapping -- we don't want to be mapping missing middle zones on top of existing missing middle housing and thus incentivizing the demolition and redevelopment of those tracts.

>> Mayor Adler: There's a second, councilmember Tovo, is there a second to this?

>> Pool: I'll second it.

>> Mayor Adler: Councilmember Pool seconds. Kathie, you want to address it?

>> Tovo: So there's a question about E we are in the document. It is on page 8, and there's an A5 there. I slightly reworded the language and that's why I've distributed a revised amendment 5 here on the dais.

>> Mayor Adler: So in section, question 4, 3 zoning map, subsection D, begins to discuss parcels fronting on (reading) -- goes on, and you're adding this amendment is to -- is it to add -- and there's --

[8:29:13 PM]

>> Tovo: Yeah, there was language in the original draft that was something like such mapping of this minimal transition zone may not occur in some situations, if there's criteria provided by council so I'm suggesting some iteration, in cases where we already have existing missing middle housing or marketable affordable housing would not provide a rezoning on top of that.

>> Mayor Adler: So this is to replace subsection D in that section.

>> DI.

>> Mayor Adler: Is that correct?

>> Tovo: No, it's adding to it.

>> Mayor Adler: It's the I under subsection D.

>> Tovo: Yeah, that's right. >> Caesar: Mayor?

>> Mayor Adler: Yes. Go ahead.

>> Caesar: I was just going to explain why I'm opposed to this amendment because I think we already have covered that protecting existing affordable multifamily with our prior vote, and what I think this could unintentionally do is just not map transition zones in these areas and also not unlock compatibility on the corridor so I think we already have covered that we're not going to upzone affordable missing middle, so we should go ahead and map the transition zones and then -- and then if there's affordable multifamily, you already have your direction on how to treat those individual parcels but not the whole zone.

>> Tovo: May I respond, please?

>> Mayor Adler: Yes.

>> Tovi th K there's a difference between multifamily properties and missing middle. What we've talked about is missing middle is anything from a fourplex to a twoplex to others. Why would we want to incentivize the redevelopment of existing missing middle housing? How would that lead to a more affordable outcome for people who need that how long in the future? I mean, the street I showed you the other day has -- has existing missing middle housing. If we place a zoning category on there that is higher than what is currently there, we're incentivizing the redevelopment of that housing. What benefits do we have there?

[8:31:14 PM]

We have maybe more units at a gher cost.

>> Mayor Adler: Go ahead, then Mr. Flannigan.

>> Casar: I think if it is not existing multifamily but a duplex, it would likely become very expensi thein future, having a fourplex there THA also has affordable units as a bonus program I think locks in long-term affordability, and I think housing slows the gentrification and development pressures beyond that. If it isn't a market rate affordable multifamily, then I think -- and it falls within the transition Z then I think the ansition zone should apply.

>> Mdler Amr. Flannigan.

>> Flannigan: So I'm not in support this, one, because it adds the phrase "This minimal transition zone," which I can't find elsewhere in the section. I had minimize the accountability, but I think we're injecting something about the size of the transition zone. And I think I heard councilmember tovo --

>> Tovo: I think that's in the origin language. I can double-check but I think that was in the onal text.

>> Flannigan: Then I object to it. This whole document is being amended so I don't lik that phrase.

>> Tovo: Okay.

>> Flannigan: But did you say that you didn't think we should zone exist missing middle housing a missing middle housing zone?

>> Tovo: I don't think we should upzo it, no. I think it sd match what is the zoning -- in areas where we have missing middle housing, I think should -- I think we should identify a zoning category that is -- that matches what is on the ground. And I think that I -- I think that you said -- you offered as an example the other day of a gap where the zoning -- the zoning doesn't match what you'reeein S in some areas, where I think you had offered the suggestion where there were -- an example where there were two units, but the zoning doesn't necessarily allow for at, and I can't remember why.

[8:33:16 PM]

I think it was an area that came .

>> Casar: Yeah, it's literally the duplex I live in is zoned sf-2.

>> Tovo: Right. So I'm suggesting making the zoning match the conditions on the ground.

>> Casar: Then I was misunderstanding the second part of your --

>> Tovo: Yeah. In the example I offered the other day,hich W I just gave you half a street, but I wish I had thebers, and probably do somewhere in my notes, to show you, by the time you get -- you know, there are about 17 tracts on that lot -- I mean on that street. By the time you get five in from this way and five in from this way, you have about five in the middle, and the number of missing middle housing units

that would be potentially redeveloped if there's not a consideration for what's already on the ground, I think is -- I don't think we'll -- as I mentioned before, I think by the time those are redeveloped, you may have more units. They're going to be serving people with higher income.

>> Mayor Adler: Wouldn't that upzone have to have with it though affordability associated with it in those years in order to be able to get --

>> Tovo: We have language in there now that says those will be tied to -- those will be tied to an affordable house component if it's economically feasible.

>> M Adler: Correct.

>> Tovo: Which I think allows -- I think we'll have to see when W that comes back. My guess is that we're going to hear in certain cases it's not economically feasible, then we've let it out. You know, without consideration what missing middle we have and a real significant attempt to preserve it, I think that just amounts -- to a redevelopment.

>> Mayor Adler: I think it's the only tool we have to provide permanent affordability, and what is affordable there today, as we're seeing all over the city, unless we all not be affordable in the future. And -- but the ability to be able to give an additional entitlement tied to affordability gives us the opportunity to plant permanent affordability and I wish we had been doing that in more places for a much longer period of time.

[8:35:22 PM]

>> Tovo: Then I think we should be clear that those entitlements will be offered if there is an affordable component. End of story. I mean, the language we have now is very vague on that topic.

>> Mayor Adler: Right now --

>> Tovo: So I think we should revisit it and take out if economically feasible and say, they can be calibrated for economic feasibility, but if there is -- if there is an increase of entitlements, it will be accompanied by an affordable housing commitment.

>> Mayor Adler: I hear that. I think that's going to be an important conversation for us to have when we start seeing what comes back. Further discussion? Councilmember Alter.

>> Alter: So I just wanted to clarify. As I understood councilmember Casar's argument was that we already have a clause that says if it's market affordable multifamily housing, that we wouldn't upzone it. So that if I have an instance, and I have one in my head in my district that's off a corridor in a high density area that's one lot in from the corridor and is a 12-unit multifamily, that I don't know how much it is, but it looks like market rate, it's not a fancy complex and units are small, that then there wouldn't be upzoning of that because of that criteria, even if it's in the transition zone, is that satisfactory understanding of that?

>> Yes, that in situations like that, upzoning would not occur without the accompaniment of a bonus program.

>> Alter: But a bonus program that takes 12 units and then makes it 20 units, but only two of them are affordable, doesn't replace 16 affordable units. So that just --

>> Mayor Adler: Councilmember Casar.

>> Casar: I think you're taking that out of context, out of the amendment that we passed earlier. I think the amendment we passed earlier said if it is market rate affordable multifamily housing, don't upzone it.

[8:37:28 PM]

What this says, though is still unlock compatibility on the corridor and still map a transition zone, but take this criteria --

>> Alter: I didn't mean that it wouldn't unlock the compatibility, I just meant I'm concerned about what happens to that. I think the compatibility is unlocked because that's already there, but --

>> Casar: And I think the reason that I oppose the amendment is because the amendment says don't map the transition zone at all if there is -- if -- it says do not map a transition zone if there is affordable multifamily or missing middle in it, and that seems to me to be duplicative while kill G the rest of the transition zone.

>> Mayor Adler: Councilmember Tovo.

>> Tovo: I think it depends on how we're defined multiple family if by multifamily we're talking about the fourplex I showed the other day, we have no argument. If by multi the staff are going to define it only as 16 units, that helps out on, you know, one or two of the tracts that I was showing, but it certainly doesn't help the triplex. So, you know, again, I think it amounts to who we're trying to build missing middle housing for.

>> Alter: May I ask one clarifying question?

>> Mayor Adler: Yes, councilmember Alter.

>> Alter: So, Mr. Casar, were you objecting because you thought it meant like the whole block couldn't be mapped minimally? Because it seems like councilmember Tovo is talking out the lot that has it oah, and it seemed like you were interpreting within the whole block wouldn't get, if it was a block, let's say. Or am I just trying to read too much into this at this hour?

>> Mayor Adler: Why don't you go ahead and offer that.

>> Casar: I was just going to say, I think in the end my concerns are covered by the other line that we passed, and so I just think that we've addressed multifamily and which if you start getting into specifically what's the right number of units, I feel comfortable having the staff figure out how to balance all those different questions they need to.

[8:39:39 PM]

>> Tovo: Mayor -- I could offer, I heard a variety of concerns, some of which I just can't accommode, but some such mapping of the transition zone should be responsive to existing conditions, existing situations, including instances where market affoable -- et cetera, et cetera. I mean, it's makingt clear that that should be a critea,hat the mapping should take into consideration existing missing middle that's on the ground. So I hope you find that to be responsive.

>> Could you read that again?

>> Tovo: Such mapping of the transition zone -- or mapping of the transitionone, again, I think we're preserving earlier language that doesn't need to be here anymore, mapping of the transition zone should be -- should respond to existing situations, including instances where market affordable and/or missing middle housing is adjacent or proximate to a property fronting sensitive general criteria.

>> C: That seems fine with me but I'm willing to hear people's concerns out.

>> Mayor Adler: What did you say, Kathie? I'm sorry.

>> Tovo: Sure. Mapping the transition zone shld be responsive to existing situations, including instances where market affordable and/or missinddlemi housing is adjacent or proximate to a property fronting a corridor or to specific contact-sensitive general criteria.

[8:41:41 PM]

I think it really should be nd," and to.

>> May Adler: But the concept that we're talking here, just to be clear, because I had the that I think councilmember alter was addressing, we're not talking about the whole transition zone, we're talking about T individual lot on which there is market affordable or missing middle housing.

>> Kitchen: Yes.

>> Mayor Adler: And was that included in your amendment?

>> Tovo: I mean, I think we can provide that as part of the direction.

>> Mayor a: Okay.

>> Tovo: That's in sync with what I'm sayg.in

>> Casar: And that makes sense to me because off of Cesar Chavez, you've got commercial, then you have some smaller residential, then you have biggerfamiti, so obviously the transition zone isn't going to -- has to take into account that you're not mapping missing middle -- it ma S sense to me that the staff has to look at what's on the ground as the map it out because it's not going to work the same in all situations.

>> Tovo: I think it's the looking at what is on the ground that's what is really key, and also being attentive to the fact that sometimes the zoning doesn't match what's on the ground.

>> Mayor Adler: So with any transition zone, staff should look at WHAs on the ground for an individual lot, or staff can look on the ground to see what's happening with an individual lot.

>> Kitchen: Yeah. Could suggest something? I think council member Tovo's language might be more specific but I can get to yours. So is mapping of lots within a transition zone should be responsive to existing situations, and then you go on, including instances, and you go on from there. That gets your lot concern. So it's mapping of lots within a

transition zone.>> Mayor Adler: A transition area, by the way

>> Kitchen: Transition area.

[8:43:43 PM]

Sorry.

>> Mayor Adler: Should be. Okay. Should be responsive to instances where market affordable, is that what you're saying?

>> Kitchen: No, should be responsive to existing situations, including instances where.

>> Mayor Adler: Situations including where --

>> Kitchen: Including instances where, and then the rest of it, you just keep the rest of it.

>> Mayor Aokay: Lots within a transition area should be responsive to existing situations, including instances where. Okay. I'll be keying off the word of mapping of lots, as opposed to mapping of the transition area.

>> Kitchen: Right. Right.

>> Mayor Adler: Mapping of lots within the transition area.

>> Kitchen: Right.

>> Mayor Adler: Are people okay with that change Ann has made? Any Jennings?

>> Harper-Madison: You've got to figure out a situation where you can [indiscernible] -- I have lots of concerns here, including questions about -- so this existing -- this existing missing middle, I won't speculate, but I suspect Hyde Park would be included in this as an example?

>> Tovo: If that's a question for me, most of my neighborhoods have a fair amount of missing middle as, you know, some of the other central Austin neighborhoods have.

>> Harper-Madison: It was -- it was a question for you, and in fact, it was -- it was a question and it was equal parts a statement, because what I feel like is we're doing that thing where we do preservation

in lieu of, and I think the in lieu of is more Hou, both market rate and affordable, if we have a code currently, which if there's change, I'm assuming it would adhere closely to the code we already have, if we already have a code currently THA doesn't support our goals around housing and transit, I don't see the point in keeping it like it is.

[8:45:51 PM]

It doesn't make sense to me. I also have some questions about if we -- if we for mapping the transition Zones, doesn't that essentially mean that we are, you know, just giving up to the progress with transit networks? I mean, I have lots of questions and concerns around this whole language and proposition here. I don't think it gets us any

--any Cser to what it is WRE aiming to do, and I don't think that keeping what's already there in a W that there's no -- what it sounds like to me is we're going to make some exceptions for certain neighborhoods, and that

frightens me a lot. >> Itchen: Mayor, could I speak to that?

>> Mayor Adler: Yes, councilmember kitchen.

>> Kitchen: Okay. A couple of things. We wanted to make sure we were talking about lots, not the whole transition zone, so it wouldn't be a matter of not transition zone, so that's just one piece. The other thing is that there -- there's a lot of neighborhoods where you already have missing middle along the corridors. And so this doesn't -- this is just saying that the staff should be responsive to what's on the ground.

-- It doesn't tell them one way or the other whether they have to map not. So -- so, for example, in the zilker neighborhood, I've got a map I'm happy to show you where all along Lamar, very deep in the neighborhood, we already have multifamily housing in multiple places. I've got pictures, I can show you missing middle.

[8:47:52 PM]

I'll be more precise. I've got pictures of missing middle. We have missing middle in zilker, and we've got it -- you know, it's half a mile in, a quarter mile in from the corridor into the neighborhood, and so this is just saying -- all this is saying is that when the staff maps, they've got to consider what's on the ground, that's all. So --

>> Harper-Madison: I truly appreciate you trying to make this more clear for me, but it doesn't assuage my fears about some neighborhoods having one level of expectation for how they will contribute to our addressing our housing shortage and others not, and THAs my concern. And even with what you've offered and provided by way of the changes in the text, I don't -- my fears haven't changed. I still think what's underneath the surface here is implicating that there will be a different set of expectations, depending upon which neighborhood you're in.



>> Kitchen: I don't understand that. I don't understand what you're saying, so --

>> Mayor Adler: So as I look at this, I understand -- I want to take a turn, then I'll come to you. I'm trying to play through -- we're not talking about the overall transition area, we're talking about isolated lots, there are certain isolated lots that we're saying we also want to protect, so now we're in one of these situations where we have conflicting things we both want and they conflict with one another and I'm trying to figure out, if we have to narrow down that conflict and make the allowance. This applies to those individual lots where there's missing middle housing. We've discussed that so I would only be where there's missing middle housing. But we also have market affordable. Is -- is that -- is market affordable and/or missing middle housing, meaning market affordable housing and missing middle housing, or are we talking about market affordable missing middle housing?

[8:50:02 PM]

>> Tovo: It was an and/or. They can be co-occurring, or not. And by the way, I'll just say, you know, I know we're all -- we all have different policy positions. I'm going to continue to strive to have -- I'm just going to simply say because I don't want to get into a real involved argument here, I'll just simply say I don't agree with the characterization of my amendment that was made.

>> Harper-Madison: Fair enough.

>> Mayor Adler: Okay.

>> Ellis: Mayor?

>> Mayor Adler: Yes.

>> Ellis: I also had concern just about -- it seems vague, I don't think it's essentially that way, but if we make it market affordable missing middle and we're removing the and/or, then I think it could help with preserving existing missing middle housing but knotted letting market affordable lend itself to other types of housing in that way. I don't know if that's something you'd consider.

>> Tovo: I think that's fine. Thank you for that suggestion.

>> Mayor Adler: We'll just say mapping lots within a transition area should be responsive to existing situations including instances where market affordable missing middle housing is adjacent or proximate to a property fronting a corridor, or other criteria. Any objection to that amendment being added that way? Hearing none, that's going to be added that way. Councilmember Alter?

>> Alter: I just wanted to clarify it, please, that with missing middle, and we were going back to the discussion we had a work session, we were trying to understand what a multiplex equals, and looking at some of the zoning categories that are available to us and that we consider missing middle, some of them have, you know, 24 units per acre and so to me, a multiplex that has 24 units or 12 units is multifamily, you can call it missing middle if that falls in our definition, but it is multifamily and, you know, there are market affordable properties in high opportunity areas that we do have to be careful

about, which is why I appreciated some of the changes we added earlier, and those will simply disappear if we don't be careful about how we map them, and they won't be market affordable in those areas.

[8:52:54 PM]

Ayor Mdler: Back on amendment 5, I don't understand the last phrase. I understand it says corridor, or according to specific contact sensitive criteria is in that context, do we need those eight words, seven words?

>> Casar: Mayor, I think those re left over from the old one, the original lane said look at the O- - >> Mayor Adler: I'm thinking they need to come out.

>> Kitchen: No.

>> Mayor Adler: They don't apply any longer.

>> Kitchen: I would disagree. We kept this section in deliberately last time, and I think that we should continue to keep ts section.

>> Mayor Adler: We cld do that if we keep in the next line as well, such latter criteria would need to be appointed to council.

>> Ken: Chah, that's fine with me.

>> Mayor Adler: And right now in this exercise you're not being provided any, so you would have to then use what's here and anything else you may be provided over the next day, or tonight T until there is, there's nothing -- unless the council provides you something.

>> Kitchen: But there are something, in later partsf this.

>> Mayor Adler: In the document.>> K Chen: Yeah, in the document. But you're right, anything not in theocument so far --

>> Casar: Couwe just change it to criteria in this document.

>> Mayor Adler: Yeah, andspec ic contact-sensitive general criteria in this document. Because ift's I not in this document -- if we don't put something like that or say -- as a matter oct, fa have seven words that refer to something now thats'n't I anything.

>> Kitchen: Right. I would just suggest we keep such cry, if any, would nd to be provided by council. That leaves it open, if council wants to provide more language later, then it would still apply to what's in this document at the prompt.

>> Mayor Adler: Okay. So we could take out according to, or specific contact-sensiti neral criteria provided by council.

>> Kitchen: Yethat, could work.

>> Mayor Adler: Okay. Any objection to that? So this thing DI reads, appi M of lots wi ath transition area should be responsive to existing situations, including instances where martke affordable missing middle housing is adjacent or proximate to property fronting a corridor or specific context-sensitive general iteria provided by council.

[8:55:13 PM]

D thus far, this is T criteria you've been g.iv

>> Kitchen: There's other language in this document --

>> Mayor Adler: We just haven't gotten thereet. Y right? We can certainly provide more. That's why I S sod far. All right. So I think we'reyka with this one. Then let's move to the next thing that we have. I think we're still on number 4. Let's see, is there anything left number 4?

>> Casar: Mayor?

>> Mayor Adler: I'm sorry?

>> Casar: So as I had said a little bit earlier when councilmember tovo rightly brought up that there are som transit priority networks where it's not a corridor and she mentioned that there could be concern that those are treated the same as a corridor, mysponre was, on this map there was a line that said we should treat differently. So people's faces looked likeeyth don't want to include this map, and the shaking of heads confirms THA then that is fine. Ion W't. But I will hand out the line on that map that I think is -- makes good sense. That way, folon D't have a concern that I don't think I was in intend, which is, if the transition areas not on an imagine Austin corridor, but I actually on a residential transit priority network street, then the street facing lot should -- oh, sorry, I handed one O thautt said the word, should begin with miss missingmiddle zoning, rather than corridor zoning, it should be --

>> Mayor Adler: Hang on a second. Let's ghe thing handed out to each otheroeople can follow the language that youanded out. Ok ? So we're still in the same section but we're up with F.

>> Casar: And if I could explain the intent here -- it would be the next section if it already is an.

[8:57:22 PM]

>> Mayor Adler: So is getting added at th.nd this is an additional thing so it would be like "And" or something.

>> Casar: Exactly.

>> Mayor Adler: Instead of F, this is N or whatever the appropriate letter is. What? They all change. We've been adding some, so we'll say atever the appropriate letter is, this is another thing added.

>> Casar: Ane itha here is, when we map a transition zone on -- I'll pick two places in my district, north Lamar, which is an activity corridor, that's going to have this mixed use and commercial zoning on Lamar, then the transition zone will be missing middle and residential. However, Duval, in my district, that is an entirely residential, not a corridor street, and it's not an imagine Austin activity corridor, so we want to make it really clear that we're not going to map activity corridor type ning on an entirely residential street, we're going to map missing middle in that location.

>> Mayor Adler: Is there any objection --

>> Casar: I think that's always been the intention, but then when I heard there might be some concern or question about I wanted to make it have he clear.

>> Mayor Adler: Is there any objection to this section? Councilmembe kitren, then councilmember harper-madison. Ms. Kitchen.

>> Kitchen: I don't have a jection. But I have a question. So are you thinking that this addresses the earlier conversation we had about high opportunity areas, or is this a different --

>> Casar: Thiss different. On high opportunity, I'mtill passing something back and forth by staff to make sure it works.

>> Mayor Adler: Okay. Are we okay withs one? Councilmember harper-madison?

>> Harper-madison: It wasn't this one. Seriously, we need better system because I was trying to je to the last one, you didn't acknowledge me and you moved on and we didn't take a vote, and I had an objection.

>> Mayor Adler: We can go back if there'sn objection you want to make.

[8:59:23 PM]

>> Harper-madison: Well there was an objection from me to the last item.

>> Mayor Adler: Okay. I'll try to pay better attention. You can call out my name and we can go back.

>> Harper-madison: I need a flag or something. Yes, I'd like to go on the record as objecting that item number D that we were just on before we moved on to councilmember casar'sitem in which case --

>> Mayor Adler: Okay. So let's go back to D in just a second. Is everybody okay with what we have here with N, with this new Juan that Casar just had? Yes, Mr. Flannigan.

>> Flannigan: Do we have a definition of residential in terms of on a residential transit priority netrk street?

>> Mayor Adler: No, I think we're just asking staff to look at transit priority network, wch we do have, and see if it looks like a residential street.

>> Casar: And I think the reasoning being -- I'll just use examples in my district. Metric in my district is transit priority network but not a corridor, but it is not a residential road. So, again, I'm just trying to -- I think this intuitive what staff would do away, but I want to put it on paper so that way, anybody that has concerns recognizes that we're going to map Lamar different than I would map Duval, metric different than Berkman.

>> Flannigan: What I liked about that original grid that you had put there, not all corridors and transition Zones are the same.

>> Casar: And this is making that extremely --

>> Mayor Adler: Okay. This one is in. Councilmember Harper-Madison, did you want to go back to an earlier one we did?

>> Harper-Madison: Yes. I don't need add any commentary to my objection, though. I think I was pretty clear.

>> Mayor Adler: Okay. Do you want us to vote on the D issue?

>> Harper-Madison: Yes.

>> Mayor Adler: Let's vote on D, DI, mapping of lots within a transition area should be responsive to existing situation, including instances, affordable missing middle housing is adjacent to property along -- property fronting a corridor, ecologically sensitive general criteria and specific, comma, and specific contact-sensitive general criteria provided by council.

[9:01:44 PM]

Those in favor of that amendment, please raise your hand. Those opposed? Mr. Flannigan, councilmember Harper-Madison and the mayor pro tem voting no. That passes 8-3. Anything else in section 4 that people want to raise? Councilmember Kitchen.

>> Kitchen: Okay. This is on my motion sheet, page 3. And it says K, I'm not sure if that's still K, but this is -- I'm just adding the sentence, the sentence that we have already in the document is, staff will provide a projection of how much missing middle housing capacity the mapping of transition areas consistent with these guidelines will provide. It goes on there.

I'm just adding a sentence: The projection should include an accounting of existing missing middle housing to inform the overall numbers of missing middle housing provided in different areas around the city.

>> Mayor Adler: Councilmember Kitchen moves what is here, K. Is there a second to that amendment? Councilmember Pool seconds that discussion.

>> Sounds like when we were talking about the missing middle goals, new versus existing number, I don't know if that seems like we're heading this conversation or if you're seeing something different.

>> Kitchen: Do you want me to speak to that?

>> Mayor Adler: Let's get Mr. Flannigan first, then he'll come to you.

>> Flannigan: Yeah, I had the same thought, and actually, without remembering tweak how we solved it the last time, this is I think even more elegant in addressing it, so I think this sounds fine.

[9:03:58 PM]

>> Mayor Adler: I think last one, we voted not to include it; right?

>> Kitchen: No, we included it but reworded it.

>> Mayor Adler: What was the one we had?

>> Kitchen: The language is different.

>> Mayor Adler: Okay. Do you remember which one that was?

>> Kitchen: Oh, right -- well, I don't -- I'm confused as to what we did before, but this is a different section.

>> Mayor Adler: It is in a different section. For the record, though, I think we did not pass it before so I don't think there is competing language.

>> Kitchen: Right. Okay.

>> Mayor Adler: So this is new language, we didn't pass anything before, continuing.

>> Kitchen: Okay. So I think it's important to read it in the context of the whole paragraph because the paragraph says staff will provide a projection of how much -- O we're asking S to tell us how much missing middle housing capacity WRE going to have. And how effectively enables us to achieve our goal. So it's simply saying T projection should include an accounting of existing missing middle housing to inform -- just to inform the overall numbers of missing middle housing provided. So it's just giving us information about our total missing middle housing. I don't know -- I can't understand why we wouldn't want to of that information. It's not saying anything about goals, which was the problem with the previous one.

>> Mayor Adler: I think the only concern is -- I think information is good not only with how much missing middle housing we have, but how much market housing we have, how much subsidized housing we have, I think the information will be real good. It's not a projection because it's not project anything, it's just counting what already exists. I think the information is good. The only question for me is whether it goes into this direction. I mean, separately, asking for an inventory of different housing types we have in the city makes sense to me.

[9:06:02 PM]

I'm cedrnbout just -- I'm just concerned that ips people into the conversation we had earlier. T ibuould be alone that. Yes, councilmember harper-madison.

>> Harper-madison: I have similar concerns in that I don't want us to ascertain what our sck is or -- I don't want the exercise of us ascertag what our current stock is to influence what our goals look like movin forward, so I would hate to see a neighborod thot has missing middle not get mor E --

>> Mayor Adler: K is in front of us. Any further discussion before we vote? Councilmember kitchen?

>> Kitchen: Yeah, I hear your concern. That's not the intention. It says nothing about -- about counting -- subtracting it or adding it or anything. 'S just information, so I thinkit's important for us to know.

>> Mayor Adler: Okay. Take a vote. Those in favor of kitchen motion sheet K, please raise your hand. Were you- okay. Flannigan, alter,itchen, tovo, and pool. Those opposed, please raise your hand. It's the balance of the dais. It's the other six. That does not get in. Okay.

>> Ellis: Mayor?

>> Mayor Adler: Yes.

>> Ellis: Would it be possible -- I have a question for staff on an earlier question, I think it'll be quick and I think everyone will agree with it. I just wanted to clarify the intent while we were still focused. So I had a question on question 1chi2,ch is the part that says that we would look at things like storage uses.

[9:08:15 PM]

I don't know who can answer my question, but -- so it says propose options for prohibiting uses along corridors that displace potentialousing opportunities such as self-storage or oer uses that do not contribute to overall policyls.oa my question, I support that, I wanted to make sure how staff would be interpretingthat T direction for lots with existing storage uselt out. And I want to know if you take that direction to mean that we should mapuch that the storage would not be an allowable use, even for lots with existing storage on activity corridors.

>> I think that we take this to mean reevaluate how uses are applied in different Zones and then how those Zones are applied, so the effect of mapping on where certain uses are going to go, basically, but to your specific question about a use that's there already, so per our earlier conversation about non-conforming, non-complying, that would be the situation, if a piece of property had a use that was subsequently not allowed, it would be some form of non-conforming, would be allowed to exist.

>> Alter: I understand that, but you have enormous storage facilities on burnet that would be prime places for residential, and what I'm asking is, at the time that they want to do anything else, would this direion make sure that they couldn't continue to be storage if they redeveloped?

>> Yeah, that would be the effect of the new code, is that when they redeveloped, if they wanted hae they are use -- again, it could exist in perpetuity as the storage facility, but if they weed to change their use, it would have to be to something else.

[9:10:18 PM]

>> Alter: But would they be able to expand it or do any O that --

>> I don't know the extent, but typically, likn today's code and in draft 3, there are provisions that do allow non-conforming, non-complying uses and strtures to exist with some modification. So they can do some thing like if they need to do repair work or remode, but it can vary, depending on how far out of compance with the new code they are.

>> Alter: But like they had -- I mean, there are lots and lots back, I mean, it's a huge area that has one-story storage, that if they wanted to go up to four-story storage there, wld they be allowed to do that, or would they have to do a different use?

>> I really can't ansr something that specific without thinking about what the non-conforming clauses are going to be in the code, but I think thathe WRE in the code it was addressed.

>> Alter: I was asking if the direction created clarity that you would set up thaitua son, not necessaly to have clarity in exactly what would be in the code, but I wanted to make sure that you understood THA direction. Looitks like --

>> So are gg was saying, the co curdently has provisions that when a use is rendered non-conforming, there are certain limited allowances that are made for it to kind of redevelop, and that part of the code, like every other part of the code, will be op for review. And I think that very much sort of council's policy goals with respect to this language on self-storage will figure into that. So I think staff will be looking at different kinds O no conformities that arise by VI ue of the code, and trying to define better what makes sense in terms of the degree to which that use can potentially expand a little bit. And I think that the tenor of council's discussion very much around this situation and others as well is to really limit the degree to which non-conforming uses can be altered without having to -- without having to come into compliance with current code.

[9:12:32 PM]

So that is, I think, definitely a PARTF the rewrite pross that staff will be looking at very closely.

>> Alter: But do you have sufficient direction do that? Or do we have to put nor moredirection in here?

>> I think what I tried to say is that we read the direction you provided as giving us se guiding principles in terms of that issue, so if you want to provide more prescriptive dictioren, you certainly can.

>> Alter: I don't know how to do it legally. I just wanted make sure that, as part of what you would be doing in those cases, that you would be making every effort in a legal way to make sure that when they redevelop, they are notus G prime real estate on our corridors for S. >>



Flannigan: Mayor?

>> Mayor Adler: Yes, Mr. Flannigan.

>> Flannigan: I can't recall if that was something that me and councilmember.

>> Harper-Madison: Or Renteria or if it was something councilmember kitchen put in, but I think we're in agreement that my recollection of how the code generally works, you can remodel, you can repair roof damage by a storm, but you could expand the use, so you could add a second floor. I don't even think you could add a second unit in the back, like one more garage door with another-square-foot of storage space, which would definitely be -- my intent behind this is that, I'm getting nods from staff, so I think there's direction and agreement.

>> Alter: Thank you. I just wanted to clarify that because there's a lot of real estate on our door. >>

Mayor Adler: Okay. Anything else on this? Okay. We're still in section 4. Any other amendments?

[9:14:36 PM]

Alise: Yes, no. 4? Okay. I think those are the only one on 4. We can always come back. Let's then look at section no. 5.

>> Oh, mayor, I just found something.

>> Mayor Adler: Okay.

>> It's another question.

>> Mayor Adler: Okay.

>> So this is under zoning map 3c. We're using it a little bit differently than we've used in other places. So it says the revised zoning map should include a transition zone that will eliminate the impact. In other places we talk about reduce the impact. So I'm just curious -- I'm sorry, what?

>> Where are you at?

>> I'm sorry. It's under the zoning map. Page 8 of the posted version. Page 8 of the posted version. So it's --

>> Mayor Adler: So it's section --

>> C.

>> Mayor Adler: Question 4 three little C.

>> So I think that eliminate is supposed to be reduced. That's what we've done in other places. So I just wanted to point that out.

>> Mayor Adler: Okay. I think we intend to eliminate it in order to open it up.

>> It's inconsistent then. What is intended by the term eliminate or term of impactability.

>> Mayor Adler: Where do you see reduce?

>> I don't know. I would have to look.

>> What does it mean by the term eliminate?

>> Mayor Adler: It unlocks the corridor.

[9:16:41 PM]

The compatibility is achieved W you zone the adjoining properties to ensure compatibility, except for the factors with respect to buffering and all those kinds of things. Okay? I think that gets us into question 5, parking. Does anybody have any changes to section 5 parking? Council member Casar.

>> Casar: I move to strike the word walk shed, which is in -- stju because our Adu ordinance does eliminate parking just within a quarter mile that provides some predictability, as opposed to a walk shed which provides very little pr ictability exactly thatans. Okay. Is there a second to this amendment? Council member Renteria seconds it. Discussion. Council member alter.

>> Alter: I thought that walk shed was what our transportation department had recommended last time that we use.

>> Mayor Adler: You thought what?

>> Alter: That our tranortation department had recommended the term walk shed.

>> Is there someone here from thensportation department?

>> Mayor Adler: She's coming up. They're conferring.

>> I can follow up with you on that. I don't think -- assar atd is concerned it really matters, as long as there's an accessible route to and from the unit and the activity corridor.

[9:18:44 PM]

I think it could be either/or walk shed or without.

>> Mayor Adler: Okay. The amendments I on the table to strike the phrase -- the word walk shed. Any further discussion? Take a vote. Those in favor of striking the word walk shed please raise your hand. Thosepp pool, kitchen, and alternator -- alter opposed. The others voting yes it passes. Any other section here? Okay. I think those tn are all the five questions that were asked by the manager with the direction. Before weroceed. Anything else at this point? Council member tovo. >>Ovo: Sorry. I missed a few things earlier.

>> Mor Aayer: Okay.

>> Tovo: So -- oh, and I had a parking one. Sorry. It's getting late. Amendment 8 goes in question 5 on page 10, please. And so this goes back to the language about where parking requirements would be particularly disruptive. I have attempted another fix that including what was, in particular, one of the suggestions that came from our community. And so the language would -- is proposed to be maybe maintained. Except some parking requirements may be maintained where elimination of parking requirements would be particularly disruptive or have a negative impact on the surrounding area, conditions to be determined by staff and to include the proximity of public schools. That seems to be the example that has come up again and again, including possibly in E aid letter that we received back in code next.

>> Mayor Adler: Okay.

[9:20:47 PM]

Council member tovo urges her amendment no. 8 on the yellow sheet. Is there a second to that? Second to that? Council member pool seconded --

>> Tovo: On page 10.

>> Mayor Adler: Council member pool seconds. Council member kitchen.

>> Kitchen: I wanted to say there's one word that does not reflect the posted version. We agreed last time to say conditions to be proposed by staff. So this language is off of the old version.

>> Tovo: I see. Thank you. And I see that our Draft document that got distributed also reflects that old language.

>> Mayor Adler: Any objection to this amendment?

What did you say? >> Tovo: I was just saying the draft that we're looking at also has that old language. It would all be updated.

>> Mayor Adler: Does anybody have any objection to these amendments? Council member Flannigan. You want to address them?

>> Flannigan: I don't have an objection to the word propose. We're just correcting that.

>> Mayor Adler: So proposed is in. That one should have been there. It's in there now.

>> Flannigan: But I do have an objection to the rest of it. I think the negative impact on the surrounding areas is to me the same thing as particularly disruptive. I think it's duplicative but I challenge the proximity to public schools issue. I don't think that it's -- I think they are competing interests when it comes to parking requirements near public schools. And the interest that I'm most concerned about is our ability to build housing around schools that are underenrolled. And parking requirements can cause additional costs when it comes to building that housing and specifically housing we want to be able to have people walk to school. So I can't support the rest of this amendment.

>> Mayor Adler: I would certainly want staff to consider proximity to school. I don't know what you would determine on that. I like conditions to be proposed by staffut I would like staff consider that.

[9:22:51 PM]

I don't know whether it's right to do that or not. Council member tovo, is there a way to put that into something that they need to consider when they're determining conditions?

>> Tov yeao: I think that was really the intent.

>> Mayor Adler: I think so too.

>> Tovo: I'm comfortable with that interpretation. And to include consideration of the proximity of public schools. It's horribly wordy but I think that captures that concern.

>> Mayor Adler: And consideration of the proximity of schools. One way or the other just tell us what you think. We're not prescng bit one. With that change, is there any objection to this amendment no. 8? Council member alter.

>> Alter: Before we had lack of sidewalks and that was taken out to have a generic thing that was supposed to cover both of them. Sorry, I would be more comfortable if we could add sidewalk situation or something for that context. I mean, if we're going to specify one, which I totally support specifying conditions for schools and I hear what you're saying about an underenrolled school, but we also have overenrolled schools where it's a very big safety issue. So I don't know if there's a way. But if staff is understanding that I'm noting to fight it. I'll let the school thing go.

>> Mayor Adler: You reminded me now. I forgot that earlier conversation. We did try to put some in and then we had people that were adding things and we could go back and see what the other ones were. And then we decided we would just leave it open without listing anything. I remember that reasoning now, that process.

>> Alter: I'm okay to go forward with proximity to schools as long as we have that other list as something staff knows about as part of that.

>> Mayor Adler: Okay. Does anybody else want to peak up on this one? Council member pool.

>> Pool: I'm wondering if our safe routes to school efforts and the program we have along those lines would take care of that. I think it probably does but maybe the staff could give us an affirmative.

[9:24:57 PM]

Even a thumbs up at this point. There we go. We have a nod and a thumbs up.

>> I think the point is we want to make sure kids are safe getting to and from school.

>> Mayor Adler: Okay. Right now we have an amendment in front of us from council member Tovo that has as the parentheses at the E conditions to be proposed by staff and to include the consideration of the proximity of public schools. That's what's in front of us now. Council member Kitchen.

>> Kitchen: I just wanted to also speak to the same kind of concern that council member Alter raised. If we're going to put in some specifics I would like to put back in the specifics we had before, which was narrow streets without sidewalks. So I would say and to include consideration of the proximity of public schools, comma, and narrow streets without sidewalks.

>> Mayor Adler: Council member Kitchen moves to amend the amendment by adding at the end and narrow street without sidewalk.

>> I second that.>> Mayor Adler: Second by council member Alt. Further discussion on the amendment from council member Kitchen? Any objection? Okay any discussion?

>> We moved on this before and it failed. Just saying.

>> Mayor Adler: All right. Let's take a vote. Those in favor of then amendment, please raise your hand. Kitchen, Tovo, Pool, and Alter. Does not pass. We have the Tovo amendment in front of us. Anyone propose any amendments to this?

[9:26:59 PM]

Let's take a vote. Those in favor of the Tovo amendment, please raise your hand. Alter, Kitchen, Tovo, and Pool. Those opposed, please raise your hand. The balance of the day. 8 does not make it in. Anything else in this document before we go to the additions? Yes, council member Tovo.

>> Tovo: Yes. I have two more. I apologize that I missed amendment 1. My amendment 1. And this goes into the overall scope. This on the first page question 1 overall scope. Here it says the manager should work to deliver a new code that's tied, if it can be applied consistently -- wait a minute. I think we'd do this one. And furthers the goals of the city. So, we did that one. Sorry.

>> Mayor Adler: Okay.

>> Tovo: That one now reads -- let me just double check. That one now says and furthers the goals of the imagine Austin comprehensive plan.

>> Mayor Adler: I think it said the goals of the city is where I think we ended.

>> Tovo: Okay. Then I do need indeed to offer amendment 1.

>> Mayor Adler: Okay.

>> Tovo: And so the language would be, just as a reminder.

>> Mayor Adler: This is question. 1 overall scope, so it's right up front.

>> Tovo: Yep. And it would just be a reminder of what triggered this process and what the land development code rewrite was supposed to do. It was one of the goals of imagine Austin. It would say provide more flexible standards while continuing to implement the goals of the imagineustin --

>> Mayor Adler: Wait a second. It looks like maybe been already.

>> Tovo: No, that was amended. I'm sorry.

[9:29:00 PM]

Amendment 1. I'm sorry. I am mixed up. Okay. I'll find that one in about M

>> Mayor Adler: So I'm now looking at the updated that the penned amendments and it says under overall scope the last sentence is the manager should work to deliver a new code that is simplified, can be applied consistent -- I'm looking at something in my hand that says E goals of the city. I think that came from staff.

>> Tovo: We had amended it to be imagine Austin.

>> Mayor Adler: Oh, adopted today. Earlier today.

>> Tovo: That one is amended. I think I intended to add in additional language -- amendment 1 adds in additional language and I need to remind myself where that goes. And I'll do that in just a second.

>> Mayor Adler: Okay.

>> Tovo: I would like to revisit on page 4. There's been a conversation about increasing the supply of missing middle housing and including an affordable housing bonus. And I am still -- I remain concerned about the language where economically viable. As I read the letter from several housing advocates who have written to us, including the letter from housing works, who have encouraged us and have said we support the inclusion of provisions to create diverse housing types and which tie any increase in development capacity to an affordability requirement. I think those in the housing community have urged us. Or members of the housing community have urged us to tie those increases to an affordable housing component and where economically viable think offers too big of a window for that not to happen. So I would like to either strike that language where economically viable. Or provide another sentence somewhere.

[9:31:06 PM]

That simply says in general any increase in development capacity should be tied to an affordability requirement.

>> Mayor Adler: I think striking that language economically viable achieves the result that you wanted. Let's just treat the amendment that way. Council member Tovo moves to amend the document by striking

where economically viable in answer to question no. 2, no. 1 objective bi. It reads to increase the supply of middle housing which includes an affordable housing bonus. And council member Tovo moves to strike WHE economically viable. Is there a second to that? Council member Alter seconds that. Discussion. Yes, council member Harper-Madison.

>> I have been fortunate to ask some candid questions to folks who understand the economics behind building homes. And it's my understanding that economically viable here basically represents what's possible. And I get the impression that anything under about ten units is not economically viable for builders and therefore would probably not happen. In which case I think economically viable is important here.

>> Mayor Adler: Any further discussion? Council member Flannigan.

>> Flannigan: I just seem to recall we debated this pretty extensively last week. I won't be supporting this again.

>> Mayor Adler: Further discussion.

>> Tovo: I'll just remind that the units -- and I think at least one of those who wrote to us echoed this that, you know, if it's for a smaller-scale project we may be looking at a fee in lieu rather than a unit. I realize we talked about this last week, but in the intervening time we have gotten a letter from housing works and at least one other housing advocate who has urged us to tie that to an affordable housing component.

[9:33:06 PM]

Throughout the day I have heard several references almost from the perspective that sounded to me like we're assuming that that's the CAS and, again, I think the issue we have here is loose.

>> Mayor Adler: So I'm going to vote against this too but it's with the understanding that the thing has said that the bonus program has to have a full complete unit. So if what's economically viable is a partial payment -- is a fee in lieu for a partial unit and that's what it economically viable to do that makes sense for us to do that administratively costs and otherwise, if it makes sense for us to do that we want to capture all the affordability we can. I'm going to oppose it because that's still my understanding with respect to this. Any further discussion? Council member Flannigan.

>> Flannigan: Council member Alter, you said last week that fee could be \$50 and I would want staff to measure that to the cost to administer and manage the program. So I think there is a cost to us to do it that we would want that fee to fit into that context.

>> Mayor Adler: We have an amendment in front of us. Those in favor of this amendment from council member Tovo, please raise your hand. Council members Alter, Kitchen, Tovo, and Pool. Those opposed raise your hand. It's the balance of the day. 4-7 it's not included. Anything else?

>> Mayor, before we move in the new sections, you had mentioned -- there was some confusion earlier about whether council member Alter's addition of regional center was separate or a modification. I

wanted to make sure that legal had captured that downtown had S own sentence and regional centers had a sentence after that.

>> Mayor Adler: How did legal capture that?

>> I'll find it. My recollection is it's te.ra I'll look it up.

>> Mayor Adler: For the record, those were two separate sentences.

[9:35:09 PM]

Anything else? Council member kitchen.

>> Kitchen: Council member Casar, I thought you were bringing something. I have some suggested language if you don't.

>> Casar: I would be interested in hearing yours.

>> Kitchen: This could just be direction if we prefer to do that. Something to the effect that staff will consider mapping transition areas in high opportunity areas not impacted by environmental concerns in order to achieve goals related to housing throughout the city.

>> Can you read it one more time?

>> Kitchen: Sorry. I went too fast. Staff will consider -- this goes back to the conversation we had earlier. And I was trying to tee off what you had said in the conversation, council member Ellis. Staff will consider mapping transition areas in high-opportunity areas not impacted by environmental concerns in order to achieve goals related to housing throughout the city. And this jtus goes back to our earlier conversation that when you look at the map there's a lot of -- there's a significant areas of they that are high-opportunity aretes of mopac that are not impacted. Now we understand that a lot of those areas have preserves or rotnvironmental features. And that's why I said not impacted by environmental concerns. Maybe there's a better word than that. But we have also said that our goals are too that all parts of the city should be, you know, that all parts of the city should be included in looking at housing. So, you know, we could give this as direction. I'm okay if this is direction T staff. It's just that the language we use right now for located in a high-opportunity area is not clear on what's happening.

[9:37:12 PM]

So we either need language or just give directio staff.

>> Could you repeat what you said?

>> Kitchen: I have staff will consider --

>> I'm sorry. Where is this going?



>> Kitchen: This soe back to the conversation --

>> Mayor Adler: This language we're being given. This was not handed out as an amendment.

>> I know. But where?

>> Kitchen: This is in the language that we dealt a little bit earlier.

>> Mayor Adler: I think it's .

>> Kitchen: That's not it. It's 3e a little 4. This is one of the four items that council member Casar had identified. Actually, I think it's one of the areas -- council member Garza, it's one of the areas you and council member Casar has proposed. Located in a high-opportunity area. So earlier in our conversation I was trying to clarify where that applies. And so we had some conversation about that the interpretation is that it would apply in other areas too. So I'm suggesting staff will consider mapping transition areas in high-opportunity areas not impacted by environmental concerns in order to achieve goals related to housing throughout the city.

>> Mayor Adler: Okay so higher-opportunity area was one of several characteristics that was trying to determine the intensity of the transition area along corridors. I think your thing belongs in this section but I'm not sure it belongs as an H as much as it is just another letter at the end of I

>> Kitchen: That's fine.

>> Mayor Adler: We would use N euphemistically at this point.

[9:39:15 PM]

Or O, P, Q. Whatever T letter is. Let's continue further discussion. Council member Kitchen makes that amendment. Is there a second to that amendment? Is there a second? Council member Pool seconds it. Council member Flannigan.

>> Flannigan: So I think little 4 covers it because it's all the high-opportunities so that covers all those areas. But what I heard -- what I understood we talked about that council member Alter talked out is when we get analysis on housing goals that we're not including areas that are preserve. Because that happened the last time around and it weirdly skewed numbers. I think it already says that the revision should map properties for missing middle housing et cetera located in high-opportunity areas. I'm not sure what we're adding.

>> Kitchen: Can I speak to that?

>> Mayor Adler: Yes.

>> Kitchen: Our conversation earlier was about if you look at the high-opportunity areas, most of them are west of Mopac. And there are some areas where you have some priority network, but particularly in the northwest. But there are a lot of areas where you don't. And you also don't have activity corridors. So this just goes to the question that I raised earlier which was in a high-opportunity area what were you

going to map off of. And if you're really tapping off of the transit priority network or imagine Austin centers or corridors, there's parts of town that are high-opportunity areas that we're not addressing any additional housing in.

>> We are right here.

>> Mayor Adler: So in section 3, question 3, 2 zoning map we said that we would do transition areas adjacent to activity centers, activity corridors, or transit priority networks.

[9:41:31 PM]

So that's where the transition areas were.

>> Kitchen: Right.

>> Mayor Adler so I would think then that the language O 4 where it was talking about E, where it's talking about missing middle housing in transition areas are keying off O those activity center and activity corridors. So I think the question that council member Kitchen is putting in front of us is a different question which, is in addition to those as transition areas were described. Do we also want to put it just generally in high-opportunity areas? And for me I just don't know how that would be done or what that would look like. So I'm not comfortable giving that direction.

>> Kitchen: Okay. That's different than the -- not you, but I thought from -- council member Casar said earlier that W H going to work on some language related to this. And I just want us to understand that we're leaving -- potentially leaving out significant portions of high-opportunity Zones. And I think the staff needs to be clear on what they're mapping for transition Zones and transition areas and what they're not. And that we're making a decision as a council that we're going to leave off high-opportunity areas that are in the western part of the city. And I frankly -- I'm not sure why we're doing that. We said we wanted to achieve goals related to housing throughout the city.

>> Mayor Adler: In my mind it's consistent with the kinds of things I think a lot of people have been discussing. There are some people who want increased housing and density all over the city. There are some people that would limit that. I have spoken, for me, about trying to thread that needle by focusing on the corridors where we have greater density and then doing transition areas off that between that and the balance of neighborhoods.

[9:43:36 PM]

So for me that's the right compromise. It fits with it being along those higher dense areas. Because of the other things that we have relating to missing middle housing. I think that those are the places in the city where people are going to get the most use of transit, most ability to be able to walk, and where density actually fits the most. So, for me -- it's not something I'm going to support. Council member Casar.

>> Casar: Mayor, to council member kitchen's point,ave H been trying to come up with language that satisfies me but it would be citing -- it wouldn't necessarily be a transition zone if it weren't off of streets. I want to make sure especially in some of those areas that we would actually develop it. Because I know if we just map R 4, for example, on top of newly-built subdivision built in the last ten years, we're mapping R 4 but we're not getting any real capacity out of that. I am open too and interested in finding ways to map more missing and middle in places where we may not have it mapped.I tried typing up a few things while trying to pay attention to the dais and I'm not satisfied with what I have in front of me.

>> Kitchen: I would like to vote on ts.

>> Mayor Adler: Absolutely, we can. Your amendment has been moved and seconded. Further discussion. Council member harper-madison.

>> Harper-madison: Were you referring to me? Not you. Council member Casar.

>> Casar: No, sorry.

>> Harper-madiso because I could swear you said council member Houston. And I didn't want to laugh at you puby.

>> Casar: We can check the tape. Yeah, we'll check it later. I'll let you know.

>> Mayor Adler: Any Furer discussion on the kitchen amendment? Council member Flannigan.

>> Flannigan: I'm seeing it more clearly how you're seeing it, Ann. And the last tng I want to do is exempt any part of town. I made that pretty clear.

[9:45:37 PM]

I was reading this broader than it's written, and that's where I was hung up. Because I am perfectly fine directing staff to figure out how to achieve missing middle housing in high-opportunity areas. Casar has a good point. A lot of those areas were built in the last ten years. They're not going to turn over to our housing goals in the next ten years but there's stuff being built now, and I have a lot more apartment complexes going up in those areas than I have sgle-family homes anymore. But I would support language -- because I think this was just done -- is it written down somewhere?

>> Kitchen: No.

>> Flaigan: That's fine. I don't have a problem with that but now I better understand what you're saying. I thought this covered it but I see now it doesn't. Will you read it one more time? I think I might support this.

>> Kitchen: And I'm ope to adjusting the language. Staff will consider -- so in other word'll see what they come up with. Staff will consider mapping transition areas -- or we could just say mapping missing middle -- in high-opportunity areas not impacted by environmental concerns in order to help achieve goals related to housing throughout the city.

>> Flannigan: Yeah. I think as long as it says missing middle. To council memr Casar's point, the transition only applies to corridors. I'll support it.

>> Kitchen: I'll lead it one more time. Then it says staff will consider mapping missing middle areas in high-opportunity areas not impacted by environmental concerns in order to help achieve goals related to housing throughout the city.

>> Mayor Adler: Okay. In order help achieve goals --

>> Kitchen: Related to housing throughout the city.

>> Mayor Adler: Related to housing throughout the city.

[9:47:39 PM]

Okay. Again, we have the kitchen amendment any further discussion before we vote? Let's take a vote. Those in favor of the kitchen amendment, please raise your hand. Those opposed. Garza and I are voting no. D alter is voting no. The others are voting --

>> I'm abstaining.

>> Mayor Adler: City member harper-madison abstains. On a 7-3-1 vote, this amendment passes. It's included. Okay. Yes.

>> Tovo: Before we move on to the additional section, I had a question that I posed -- a question I have been asked multiple times this last couple of weeks, and maybe others have as well. And I did give our city attorney a heads up about it. I've been asked -- and I think we all got asked this question during the code next conversation as well, whether property owners would have valid petition rights once the council takes action on the map and land development code.

>> Council, they would not. The zoning protest petition rights are limited to individual properties or small areas. But a comprehensive revision and a complete rewrite of our zoning code does not afford THA opportunity.

>> Mayor Adler: Okay.

>> Tovo: Thanks for that explanation.

>> Mayor Adler: Let's move then to addition no., which is planning section.

>> Mayor, I think it's my amendment. I have an amendment to it that just got several sections to it. I don't know somebody comes before mine.

>> I think mine may be the one --

[9:49:40 PM]

>> It's your original and mine amends it.

>> And I spent some time looking through the additions that council member Casar is offering on the small area planning, or district-level planning that we were talking about. And I have no objection to any of what he has offered to add and I would see them all as friendly. And that might actually move us more quickly through something -- to get us to finishing up tonight.

>> Mayor Adler: That would be good. So I'm on planning. Casar's item no. 9. Does anybody have any objection with the amendments in addition no. 1 that came from Mr. Casar? Hearing none, they're included. Any other amendments or changes to the planning section? Okay. Then let's go then to addition 2, affordable housing.

>> May, are we adopting that?

>> Mayor Adler: We're adopting it in just a second. We'll adopt everything in a second. Unless we divide the question --

>> I mean, I have an objection to the planning section as a whole.

>> Mayor Adler: Okay. So let's hear -- you're correct.

>> Thank you. >> Mayor Adler: Because the planning wasn't part of the base document.

>> Correct.

>> Mayor Adler: Gotcha. Now discussion on the planning section as amended. Mr. Flannigan.

>> Flannigan: So my motion is not detailed. It is more high level that I still struggle with the value that this will provide. And it's something I think we can easily take water and it's not necessary at this stage. But that's all I feel like saying right now

>> Mayor Adler: Sounds good. Ready to take a vote on the planning section. Those in favor of the planning section raise your hand. Those opposed. Flannigan and Garza voting no. Others voting aye. That section is included.

[9:51:41 PM]

That gets us to addition 2, affordable housing. Any discussion on the affordable housing section?

>> Yes, mayor.

>> Mayor Adler: Council member kitchen.

>> Kitchen: Okay. So I know that council member Casar has some amendments. What I would prefer to do is start with the language that I have included. Because we agreed to most of it last time and there were just four areas that people wanted to discuss in more detail. And so now it's not -- it was not my intention to leave out any aspects of the strategic housing blueprint. I simply went through and picked

out the things that appeared to me to be relevant to the land development code, because there are a lot of recommendations in the ashp that aren't impacted by the land development code. But if council member Casar feels like some of these need to be added back in, I don't have any problem with that. I'm happy to list them so that we can list more or all of the items that he indicates. I have no problem with that. We could do that. I'm also not attempting to establish any priority amongst any of them. So I'm not aware of anything that I have that does that. But if there's something that people are concerned about I'm happy to talk about that too. My intention was simply to make sure we provide direction that the ashp recommendations be included in the land development code to the extent, you know, they involve language that goes in the land development code.

[9:53:45 PM]

So I would prefer to -- council member Casar, I would prefer to stay with the language that I had and have you amend on to that, if you would like add any items.

>> Casar: Mayor.

>> Mayor Adler: Council member Casar.

>> Casar: So, you know, I had penned some of these items I think others had as well, and trying to go and address each of them, I recognized that it might be most clean and clearer to do a bit of a replacement. And the reason is this. You know, there are 27 key action items in the blueprint that relate to land development code. 27 key actions that are land related. The motion sheet from council member Kench includes 12 of the 27 and doesn't include the other 15. So what I did was I just went and listed all 27 of them. And the key action items as listed in the blueprint, some of the them have asterisks next to them because they are high priority. So I made sure to reinstate the high-priority ones. So, for example, what we have before us includes allowing development of smaller houses on smaller lots but excludes comprehensive parking reform. It includes transportation choices but excludes things like streamline city codes and permitting processes. So I have added them all back in so that it doesn't look like there's priority. And then I took out some of the commentary that frankly, you know, sometimes varies a little bit from the housing blueprint and sometimes adds things that aren't in the housing blueprint at all. It is added in here that the city should track all of our preserved housing units. That isn't in the blueprints. Maybe the city should do that. Maybe it should be the housing department but it seems to be directing a department to do that they are not doing.

[9:55:48 PM]

That's not in the blueprint. It asks for our housing bonus programs to work with the housing authority, which is great. It's just not in the blueprint. And I think we are currently working on a wait list resolution to try to do some of that work. And that is an important piece of work for us to do. We could do it in housing committee. We could do it on the day it's just bringing something in that's not in the blueprint.

So I think it would be most clean to just add the 27 ldc action items from the bntri directly. And then not risk having paragraphs of text that sometimes match fully, sometimes match in part, and sometimes don't match what's in the blueprint.pr so that's why I just have a clean amendment to just try to add the blueprint highlights and then let the staff refer the blueprint into how they are implemented. A lot of this stuff is stuff that I totally agree with. I mean, I sponsored the resolution to require developments that receive city funds and entitlements to accept vouchers. I sponsored the resolution to do it, I just want to cut the paragraphs that describe things in the blueprint because sometimes they vary in a variety of ways from the blueprint and I don't want to parse through that or risk changing direction from the Brint here. That's why I just have the 27 action items.

>> Kitchen: Can I speak?

>> Mayor Adler: Council member kitchen.

>> Kitchen: Well, I understand that. And I didn't want to have to -- I don't think they're different. Because the language that we took is from the blueprint. So frankly having to go back and parse out the way that you rewrote this against what I had was difficult to do at the last minute. And my concern is that it's losing some of the information that I had. So and the language that I included is straight out of the blueprint.

[9:57:50 PM]

So I'm not sure where you're saying something is and where you're saying it's not. So, I'm not sure where to go with this. I frankly would prefer to keep the language I have, all except for four were agreed to last time.

>> Mayor Adler: So I think we have two different ways of approaching it. We have yours, which has four amendments. And we have Casar which is an extensive --

>> Casar: Substitute. Can I just move to substitute since she's moved the base?

>> Mayor Adler: You know, I think in this instance we can do this. We would -- in that instance when you make a substitute like that you treat each of them individually and get each one to the best place it could be in and then you vote on them. That's how a substitute is handled. Might be easier just to treat the amendments in turn and then decide. There are two ways to go here on that and I think it might be easier to do it that way. Council member kitchen.

>> Kitchen: One other thing. There's just a few places where your amendment takes out some specificity that I had. So, for example -- just two, I think. But it says -- two not to mention the language you took out. But basically I said implement recommendations for achieving those goals included in the Austin strategic housing blueprint and the ashp implementation plan once adopted by council.

>> Casar: That's fine.

Kitchen: You deleted that and I would like to include that.

>> Mayor Adler: What language is that?

>> Kitchen: It says and to implement --

>> Mayor Adler: I see it.

>> C Tas reason I cut that is because the implementation plan is not up for a council vote.

[9:59:52 PM]

The blueprint was but the implementation plan isn't voted on. Because that's a changing a living document.

>> Kitchen: The implementation will be coming back to us in May and we can choose to adopt it if we want to at that point. So this just says once adopted by Council. So if it's not adopted --

>> Casar: If adopted by council.

>> Kitchen: So the other thing is the producing the 100 permanent support of housing units each year. I had extensive conversations with the housing community and they preferred terms -- preferred language that I had which relates to producing permanent support of housing sufficient to meet the need.

>> Mayor Adler: Let's give someone else a chance to talk Mr. Flannigan.

>> Flannigan: Not to steal my colleague's thunder but do we need to take a motion to extend past 10:00?

>> Mayor Adler: Mr. Flannigan moves to extend to 10:00. Is there a second to that? Thank you, council member Ellis. Take a vote. Those in favor of extending past 10:00, raise your hand. Those opposed. Council member Alter votes no. The others voting aye. We'll get this done. Council member Flannigan.

>> Flannigan: Thank you. My hesitation with this section is that we have effectively through council member Tovo's amendments adopted all the strategic housing blueprint into this by including the goals of the imagine Austin comprehensive plan, which includes the blueprint. So I'm trying to figure out what of the section is new that's not in the blueprint. I think that's the only part we need to adopt and if we're unable to divine that I'm just going to vote no on the whole thing.

>> Mayor Adler: Council member Tuchen.

>> Kitchen: Well, actually we've adopted the blueprint but what we haven't done -- see, the blueprint is just a set of recommendations.

[10:01:58 PM]

It doesn't then say to staff please put this in the land development code. So we have to take -- adopting the blueprint did not implement anything of the recommendations that are in there. We have to take a step to say what we'd like to see in the land development code. So that's the distinction.



>> Think we'll have to agree to disagree on that distinction.

>> Kitchen: Okay. We can ask staff about that. If they're going to automatically write into the land development code all of those recommendations.

>> So I would like to ask staff if the recommendations in the blueprint are going to be considered as they draft the code. Because I would assume that they would be.

>> Mayor Adler: And part of it looks like -- while you're up here, it looks like some of the things that are in here are not really things that are land development code. We don't do permanent support of housing out of the code. That's a lot of stuff that happens outside of a code. So I'm having trouble. I share some of the same thoughts that Mr. Flannigan -- so would you address all those issues? >> Acy Patterson, planning and zoning. First to address, yes, as the blueprint is a part of adopted council policy we will be looking at all the elements in that as relate to the land development code. Second there are elements within the blueprint that we can't incorporate through the code and thus won't incorporate into this process.

>> Mayor Adler: Okay. Council member CAS.

>> Casar: I would just -- can we end this part just by taking a cold vote on the two versions to implement and we'll go from there?

>> Kitchen: Sure.

>> Mayor: Well we're going to take two votes. First we're going to vote on the kitchen amendment and then we'll take a vote on Casar, if kitchen's does not pass. Those in favor of the kitchen amendment, please raise your hand. Alter, kitchen, tovo, and pool. Those opposed, please raise your hand. The balance of the day.

[10:03:59 PM]

It doesn't pass, 4-7. Let's now vote on council member Casar's. All in favor -- >> W T. I have a question.

>> Mayor Adler: Okay.

>> Kitchen: Will you agree to make the changes that I pointed out earlier?

>> CAS: I think your changes just said implement this if we adopt the implementation plan. Can you do that too and do everything we can to support psh. That could be done in the code.

>> Kitchen: I would like to be more specific. The language that I worked out with the housing community was to produce permanent support of housing in sufficient numbers to meet the need.

>> Casar: Sure. The land development code should do everything it can. Permanent support of housing is a social service, so what the ldc can best do is help us drive down the cost of rent as low as possible. But ultimately for psh what we need is staying, which is not an ldc thing. But doing everything we can

might mean liberalizing congregant living and doing everything we can to drive down the cost of the unit. And we have to provide the social services around.

>> Kitchen: I would disagree. Permanent support of housing can be a type oonin Z category. So I'm just -- the point I'm trying to make is that you have here of the 100 is what we want to strike. Useca the housing --

>> Casar: Got it. You don't like the number 100 because you want to do meet the need.

>> Kitchen: 100 is insufficient.

>> Casar: I agree.

>> May Adler: So the first one here you had strike -- you had stricken language in no. 2, implement recommendations for achieving these goals. Council member kitchen is asking that be put back in but taking once and turning it into if.

>> Casar: Great.

>> Mayor Adler: Anybody have an objection to that?

[10:06:01 PM]

Hearing none that language is back into council member Casar's. It's no. 2 there and once adopted by council is changed to if adopted by council. That's put back in. The next one produce 100 support housing units each year. And the language you proposed was produce --

>> Kitchen: Sufficient number. Sorry.

>> Mayor Adler: Produce needed permanent support?

>> Kitchen: No. The language I had was produce permanent support of housing in sufficient numbers to meet the need. And then you would strike the rest of it.

>> Casar: That's fine.

>> Mayor Adler: Produce permanent supportive housing sufficient to meet the need.

>> Casar: And strike the rest. That's fine.

>> Mayor Adler: And strike the rest. Any objection to that? Hearing none -- sorry. See, you're behind Ann. There you are. I see you now.

[Laughter] You lean back and Ann is right up on the table.

>> I gue I just have some questions about -- this is where I'meani L, you know, having a little more in the way of institutional knowledge. I don't understand how permanent support of housing has anyg to do with the land development code. It sounds like -- because subsidize social service programmatic thing

that doesn't have anything to do with land development code. I'm just very confused and would love some guidance there.

>> Mayor Adler: My sense on this is that as council member said while we can't make permanent support of housing, because that requires social services, what that means is we have to create the conditions that will make that the easiest to be able to do. So we'll hit really hard the affordable housing sections that we have in here. I mean, there are a lot of things we can do. One component of permanent support of housing is the actual physical space itself.

[10:08:03 PM]

We want to create as many of those spaces as least expensively as we can in the places that we can, as many as we can. That's what the land development code, for me, can do. Topel contribute to that. But it can't ultimately deliver it by itself, it needs the social service. But to the degree the land development code can help facilitate that. Did you want to address it?

>> As F is understood there is no zoning category for permanent support of housing. But I concur. I mean, you do have to have zoning that would allow affordable housing.

>> Mayor Adler: And we want to be able to do it as inexpensively as we can so we can get it on the ground. That's how I would answer, for me, the question.

>> I guess part two of that question. So are we talking multi-family? And if that's the case are we talking multi-family all around the city everywhere? Herwote, if we're not, are we not talking about permanent support of housing, eligibility all over the city.

>> Mayor Adler: We're talking about creating affordable units consistent with this document as many places as we can consistent with this document. Hopefully some of those places will turn up to be permanent support of housing. Any objections to including -- Mr. Flannigan. We're really close. I think we have two more votes. Mr. Flannigan. Three more.

>> Flannigan: I remember council member Kitchen and I having this conversation last Thursday. The split was things where congregant care are a use, a function of zoning, but there isn't a zone called psh. We had that conversation last week.

>> Kitchen: Yes. Is in the land development code. It may not be a zoning category, per se, but there are aspects of the land development code that impact how you might want to do permanent support of housing.

[10:10:10 PM]

>> Mayor Adler: Got it. I think we're okay with this. Whatever the land development can do to help with that it's going to do. Any objection to that language? Hearing none, that language is included. Okay.

With those changes, let's take a vote on the affordable housing section. Those in favor of it, please raise your hand. Those opposed. Flannigan yes no. Harper-m adbstains. The others voting aye. That section is in. Any other amendments anywhere in this thing? Council member Garza. It looks like you handed one out here.

>> Garza: I did. I sat on this for a while and where this came from was going back to where this all started with council member Casar's and mine joint post, that was five pages. And now we're at a document that's ten? I don't know where we are. Whatever. However many numbers of pages that is. And this language came out. This language was in the original document and as we are at then and we all know the challenges that we often hear about throughout are here in the city. We all have things that are special to each of our districts. But our housing, which is a nationwide crisis that we're in, but obviously affecting us too, and our congestion issues. And so I just wanted, as we -- you know, everyone knows my concerns about the amount of weedy stuff we did here, but I just wanted to bring us back to why it's so important for us to continue this work, which is difficult.

[10:12:12 PM]

And that is that we, at the end of the day, it should prioritize all types of homes for all kinds of people in all parts of town. And the parentheticals are strategic housing blueprint goals. This is on page 1 under 1, question 1, overall scope. And a development pattern that supports the 50/50 transportation mode share by 2039. And then another parenthetical, Austin's mobility plan. Sorry I explained that without asking for a second.

>> Mayor Adler: Is there a second to this? Council member Casar seconds it. Council member harper-madison seconds it. Any further discussion? Ready to take a vote?

Council member alter. >> Alter: Thank you, council member Garza, for passing this out. I just wanted to ask staff, since we just got this and it's after 10:00, is there an example setting that they would do with that language that wouldn't otherwise be done without its inclusion in this document?

>> Mayor Adler: I hope it summarizes everything else we did. That's a good question to ask. It's a good question to ask.

>> Brent Lloyd,

>> Brent Lloyd, it's in the nature of a value statement, and it has a lot of value statements in it. If there is a new feature to it, I think it emphasizes or states the importance of the Austin strategic mobility plan, but I can't at the moment see that there's any singular aspect of staff's work that could be directed by this, but it definitely expresses a policy.

>> Mayor Adler: Let's take a vote. Those in favor of the Garza amendment 1, please raise your hand.

[10:14:13 PM]

Those opposed? It's unanimous on the dais.

>> Casar: Mayor, I appreciate the mayor pro tem bringing this forward for us because after a dozen pages of all these details, I think it is really important to go back to home why it is exactly why we are doing this, so I appreciate coming back up to the top and not making this the first line.

>> Mayor Adler: All right. Let's take a vote in the direction to the city manager as amended here today. Councilmember Pool?

>> Pool: I just wanted to say a couple things before question took the vote if that's possible. So I just had a couple of remarks that I wanted to be sure got into the record. So I appreciate the work that everybody has put into this document, and although we seem to have strayed from the high-level policy guidance that the city manager had asked for, I am supportive of him putting the questions before us. I'm deeply concerned about the long-term future effects of the framework we've set up here. While I'm pleased about some of the direction that is being given, and I'm obviously supportive of the environmental planning and affordable housing additions, among others, I ultimately do not agree with some of the overall direction being given here. An example of something that I cannot support is how far the transition Zones are proposed to extend into our neighborhoods. That kind of change will eat up our neighborhoods, not only in district 7, but across the city. The resulting demolitions and higher land values that come with those kinds of entitlement increases are very troubling to me, and to many of my constituents. I needed a more careful, balanced approach to be on board with this document, one that recognizes our multiple priorities and holds true to our plan, imagine it. The draft that comes to us later this fall will be the roadmap for development in Austin for the next several decades.

[10:16:16 PM]

We need to keep our eyes on how we want this city to look like in 30 to 50 years. I believe we do not have to sacrifice our quality of life for our city to be livable, affordable, and resilient with complete communities everywhere. That is a core value for me, and I need to be closer to achieving that balance to support the overall direction the council is adopting here today. So I will be voting no on this document. Thank you.

>> Mayor Adler: Councilmember Kitchen.

>> Kitchen: I have a question, and then I would like to say something before the vote, but --

>> Mayor Adler: Okay.

>> K Chen: -- First my question. So we're voting on a document tonight that we don't have in front of us, and that the public doesn't have in front of it. We're all doing our best to write down these amendments and changes that we've made going forward, but I'm very troubled about voting on something where I don't have the opportunity to read it all in front of me. I also don't have the opportunity, although I would like to suggest that after we vote tonight, which I know that we're going to, that there's -- I mean, I might -- I would prefer to vote when I have a document in front of me. But, I'm certain that this -- that I'm in the minority here, but I don't think that's the way to do business, and I am hopeful that what that

means is, when we get the final document, we will be able to make adjustments if it doesn't reflect what we voted -- what we adopted here tonight. I know that our staff will do everything they can to get -- to get the best, most accurate language that we agreed to, and I really appreciate that, but we saw tonight a couple of instances already in which we didn't have the most current information included in the document.

[10:18:32 PM]

So I am prepared to vote tonight because I know that anything would make not to would not be acceptable, so I just want to just do a place mark right now that I intend to look closely at the document shortly after this, and I would expect that our staff will turn around the document immediately, as soon as you can, so that we then have the opportunity as councilmembers, if we see something that was not our understanding that we voted on, that we can address it. So with that caveat, I am -- I will vote tonight.

>> Mayor Adler: Okay. Anything else anybody wants to say? Councilmember Alter?

>> Alter: Thank you. This has been a hard process, and I want to thank my colleagues for the work that went into this. We come to this with a diversity of perspectives and experiences, but I know that we share a set of values that are guiding us towards our goals. I do believe that we can grow our city equitably and that a new code can and should increase our supply of affordable housing, while also protecting our environment for future generations. There are a number of items in this final document and direction that I wholeheartedly support and applaud, and I think we have more in common than that which separates us. I'm going to spare you enumerating those because it's late but I have not made secret the fact that I have some concerns about how we are mapping transitions. While I believe we could add capacities to our corridors, and I would support mapping middle housing in the lot behind the corridor, I'm very uncomfortable with the way that we have decided to approach the transitions without planning and without a focus on understanding what's on the ground.

[10:20:33 PM]

I'm going to hope for the best when this document and this product -- or when the product returns to us in October. If we see it contains benefits for Austin, perhaps I will be able to support these reforms. I'm not convinced the product we get back will deliver the balance we need in overall housing that will be necessary for me to support it. As your colleague, my plea is to continue to strive to build common ground around our shared values. My pledge to the community is to continue to voice the concerns that I hear from you and to insist that we have real data and facts that we're working from. I will continue to work towards balancing the various housing, environmental, and quality of life goals that we endeavor to accomplish.

>> Mayor Adler: Okay. Councilmember Zarza.

>> Garza: Yeah.

>> Mayor Adler: Mayor pro tem, I'm sorry.

>> Garza: I appreciate everyone making those comments. I just want to reiterate again that this is direction and it is suggestions, and there -- I guess it's to here that, you know, there's concerns about not having a final document. I just want to make sure I'm not -- not that this was the intent of that comment, that everyone knows that there is no final decision being made tonight on this. This is simply direction for a draft to come back, and then there would be time for all of us to, once again, likely have very similar discussions that we had tonight, again, when we see that draft again.

>> Mayor Adler: Councilmember Kitchen.

>> Kitchen: Okay, I just wanted to make a few comments. And, yes, thank you for that, councilmember Garza. It is direction, but one of my concerns is, it goes beyond suggestions, it's prescriptive in a number of areas, and it's more prescriptive than I think is prudent to the best result.

[10:22:53 PM]

I'm also troubled by prescribing certain direction without analysis, and also without -- without even -- without even agreeing to request analysis. I find both of those things very troubling. I would also say, though, that there is a lot of good in this and a lot I agree with. I have always shared the goals of additional housing in the city, and particularly additional affordable housing for everyone. So I will continue to work with my colleagues as this comes back to us. I will be looking for -- I will be looking for information about the impact because one of the things that's very important to me is that we actually achieve the goals that we've set out to achieve, and so I would like to see analysis, modeling, testing, all those kinds of things so that we understand what we're getting when it comes back to us. So all in all, I will be voting for this with those caveats. I remain concerned about certain aspects of it but I do share the overarching goals that are in this direction, and I'm hopeful that when the -- I'm hopeful that our staff feels sufficiently empowered to look at our overall goals and areas in this document where they may have been suggesting something that is difficult to do or actually just doesn't work out, or that our staff feel comfortable coming back to tell us that. So..

>> Renteria: Mayor?

>> Mayor Adler: Councilmember Renteria.

>> Renteria: I feel like we're finally heading in the right direction.

[10:24:53 PM]

When I first got on the council, we stride all kinds of different from stopping demolitions, from displacement, we voted down some multihousing units because we thought it was just too expensive, you know, it was selling for 250 to \$300,000. We tried all these, and we just couldn't prevent the displacement that was going on. And I had to change. I know, love this city and, you know, I

really love where I live at, and I hate to see the change, but I saw the change coming. All my friends that I grew up with don't live in east Austin anymore. They're gone. You know? I would probably have to go Buda or Kyle. At some point where the people are leaving to if they can't afford to live here, and if we don't provide more affordable housing you know, we're going to lose all of the lower-income people from -- especially from the inner city, you know, so, you know, it was a difficult decision for me to turn around and say, hey, now we need to really focus on density and really start building, you know, smaller units, you know, we don't have the families anymore of ten people. You know, I grew up with ten brothers and sisters, so you don't see that anymore. I have three -- two sons and a daughter, and O'Donnell doesn't have any kids and two -- and the other two, they both have just two kids, you know. They don't need big old five, six-bedroom houses anymore. So we really need to focus. That's why I'm so proud of this work that my colleagues have, you know, worked on so hard because we're now going to be able to address these issues that we're facing now with all the displacement that's going on, and we're -- have the opportunity to integrate the city, you know.

[10:26:58 PM]

You know, put aside all the hate and discrimination and -- T-T we have -- I grew up with here in Austin, you know. Now we have an opportunity that we can have a diverse, mixed income, mixed race town, city, where everyone can live together in all parts of the city and not be excluded just to one section of the town. So I can say thank you to my colleagues.

>> Mayor Adler: Thank you councilmember Flannigan.

>> Flannigan: So I want to thank everyone on this dais for all this really hard work and very difficult debate and sometimes contentious debate, but I think we managed to do it pretty respectfully and thoughtfully, even where there was disagreement. And I want to thank councilmembers Harper-Madison, Renteria, and Kitchen for working so hard to work as a group to put out these documents over the message board over the past couple of weeks. I'm really excited by what we're doing here. Every city in America is facing housing crises, the mayor previously said, and we're noting to address it by noting as much as other cities are doing. Some cities are talked about Minneapolis and things they've done, but they've not done it in their zoning code. We're actually ahead of the game here and I don't think Spencer Cronk came here to do less than Minneapolis does. It's time to go big and that's where we're headed. We're not doing everything I wanted to do in this document but we're definitely doing a lot more than we do now. I'm encouraged and excited and I hope that we can continue dialogue and not -- not allow some folks in the community to foment some very negative emotions that we know can bubble under the surface. I'm really excited, I'm excited to have this process initiated and I'm really looking forward to nailing down the details when this comes back in the fall.

[10:29:01 PM]

>> Mayor Adler: Councilmember Tovo.



>> Tovo: Yeah, I want to add my thanks to our -- to all my colleagues. This has really been a pretty intense couple of weeks and a couple of long days, and I agree with councilmember Flannigan, I think we've done a really good job of disagreeing respectfully, for the most part, and I think that represents a very good foundation. And I just want to also thank our staff, those of you out here, but also our council staff who have worked really hard. I want to just make a quick remark and also just to preface my remarks by saying that I have -- I've been a consistent supporter of the land development code. I supported revising it when I voted for the imagine Austin comprehensive plan, directing that outcome when I voted with the at-large council on what we called the 2.5 version, which was supposed to be a balance between a clean sweep and kind of minor tweaking. I voted along with the first 10-1 council to reaffirm that code, rewrite direction, and when I voted for the additional funding for the codenext consultants. I believe that we need to revise the land development code. My vote tonight doesn't discount that. But I will say, you know, I really had hoped that with this direction, we could craft a document and a set of directions that would support. And, again, while I agree that we need to revise our land development code, and I agree with a whole lot of what's in this direction, there are just some elements in here that cause me a lot of concern, all of which I've mentioned along the way, the transition zones, the way in which the transition zones are really cutting into the interior of the neighborhood, the fact that we don't have a firm -- firm tie to increased entitlements on those contributions, certain other elements. That being said, when this comes back to us, I'm going to work just as hard as I did last time to propose amendments and collaborate with my colleagues to see if we can get to a place with code and a map that I think represents a balanced approach and also achieves our goals of imagine Austin to increase the density along the corridors in the activity centers.

[10:31:16 PM]

I will say I am -- I think that we have an opportunity with this process to build back some of the trust with the public. Was not a small group of people who were concerned about codenext. Was a large group. I don't think they were misinformed. I believe a lot of people really understood, well, what they were responding to in the countless public meetings that were crowded with people who had never paid attention to land issues before codenext mapped -- brought forward a map that was really dramatically different from the planning efforts that had been done in the past. And so again, am -- I regret that we're not prototyping direction that I think is a little more balanced and more responsive to those concerns, but I look forward to continuing that work when this comes back to see if we can get to that place.

>> Mayor Adler: I guess my -- first I'd like to thank the manager for moving forward with our request that he give us a process to get this up and down to move the city forward. I appreciate the five questions he gave to us. You know, in looking at them, I think they were the right five questions to get the council to actually commit and set -- make decisions and make choices and set priorities. Those are difficult things to do, and I think one of the reasons why the process didn't work in the past is because that's something we had not done, and we've done that now. I would urge to the manager, I think a lot of stuff we've asked for and the timing we have asked for, it's going to be difficult to do with the resources that exist and the hands, the number of hands that are present, and I want to make sure that the manager comes back to the council to ask for whatever resources or assistance or help or whatever is necessary to be able to do this, and I anticipate that's something we're going to have to address, mainly in the budget

session, maybe even before then, and I would urge the manager to come back to make sure that he gets everything that staff needs in order to be able to do this.

[10:33:38 PM]

I point out in particular the issue of calibration, so much of what we're doing is going to require this to be calibrated directly because so much of what we're doing ties to affordability, economic viability and affordable housing programs, so I urge careful consideration on that and making sure if we need additional expertise, let's get that, even we need to make that happen. I think that this is a really good balance, this document, and I thank my colleagues for working through this. This was not easy. And I think we got through it really well. I think this does reflect the general will of our community, and I think that there are a lot of really key elements in this that are really important. I think the community wanted to create greater density and housing supply along the corridors and the activity centers across the city. This does that. It allows us the use of density -- throughout the city, dwelling units, like flats and garage apartments, to help people age in place and make construction easier and less expensive. It directs the staff and the manager to give us more medium duplexes and triplexes and quad lots and more areas, perimeter neighborhoods, serving as if transitions from that density in the corridors and centers. It requires that most of the neighborhoods remain untouched from that transition area and that the transition areas are only two, up to generally no more than five lots deep, and then that is based on the fine-grained, site-specific criteria, and we only give entitlements as economically viable, and only where it expands new affordable housing opportunities or provides a substantial community benefit. It incentivizes the preservation of existing homes to discourage the tearing down of single-family homes and the replacement of larger, more expensive single-family homes.

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It helps incentivize walkable communities and decrease the cost of -- required cost of housing by generally eliminating parking requirements -- but only in years close to transit, requiring ADA disability parking, even if other parking is not required. It ties to the strategic housing blueprint, the Austin's strategic plan, and the strategic mobility plan. It recognizes the importance of our environmental protections and insists that they be implemented in a way that still allows for us to increase our housing supply. And finally, I would just note that it requires a new land development code that reduces impervious cover citywide, improves water quality citywide, and reduces flood risk citywide. I recognize that there are things that everybody on this staff probably would change about this document, and certainly I'm getting emails now from people pulling in every which way on this, but I just think that this is really good work. The community will have months to be able to debate whatever it is that comes back. We're going to have lots of opportunities to change it and refine it, and I'm sure that we will. But I'm proud of the work that we've done here today. With that, we're going to take a vote. Those in favor of the direction, please raise your hand. Those opposed? None, thank you, and alter voting no. The others voting aye. It passes 8 to 3. Here at 10:38, this meeting is adjourned.