



**AUSTIN CITY COUNCIL
MINUTES**

**SPECIAL CALLED MEETING
THURSDAY, MAY 2, 2019**

The City Council of Austin, Texas, convened in a special called meeting on Thursday, May 2, 2019 in the Council Chambers of City Hall, 301 West Second Street, Austin, Texas.

Mayor Adler called the Council Meeting to order at 1:18 p.m.

DISCUSSION ITEM

1. Discuss and take possible action on policy direction and guidance relating to the Land Development Code revision.

Mayor Adler recessed the meeting at 6:52 p.m.

Mayor Adler reconvened the meeting at 7:43p.m.

The motion to continue the meeting past 10 p.m. was approved on Council Member Flannigan's motion, Council Member Ellis' second on a 10-1 vote. Council Member Alter voted nay.

DISCUSSION ITEM CONTINUED

1. Discuss and take possible action on policy direction and guidance relating to the Land Development Code revision.

The motion to adopt the staff version policy direction document as the base document was made by Council Member Ellis and seconded by Council Member Casar.

A motion by Council Member Harper-Madison to revise Question 1, Section 4 to read as follows: "The revised Land Development Code should be sufficiently clear and unambiguous that administrative criteria manuals are not relied upon to establish policy, except in circumstances where Council has directed that particular requirements be established administratively.

a. The revised Code text and map should result in reduced allowable city-wide impervious cover, improved city-wide water quality, and reduce overall flood risk."

A motion was made by Council Member Pool and seconded by Council Member Alter to revise Question 1, Section 4 to include the following and renumber accordingly. The language was:

b. No provisions in the new land development code should be construed as weakening the current City of Austin floodplain regulations, drainage criteria, and water quality

regulations and criteria. Methods to measure and options to reduce impervious cover in each watershed, and methods to measure and options to improve water quality in each watershed, should be developed for the new code and the following goals incorporated:

- i. Reductions in impervious cover city-wide should either decrease impervious cover for, or make no change to, each individual watershed.
 - ii. Improvements in water quality city-wide should result in improvements in water quality for each individual watershed.
- c. The Atlas 14 floodplain regulations should be approved and incorporated with the most current rainfall data as soon as possible.
- d. The manager will report on how revisions to the land development code affect existing environmental regulations, understanding that the goal of the council is to preserve, or increase, our current level of environmental protections.

An amendment was by Council Member Ellis and seconded by Council Member Flannigan to amend the sections “b” and “d” to read as follows. The amendment was accepted.

d. The manager will report on how revisions to the land development code will likely affect existing environmental regulations, understanding that the goal of the council is to preserve, or increase, our current level of environmental protections, sustainability with respect to flooding, water quality, water usage, air quality and greenhouse gas emissions.

b. The new Land Development Code should not weaken the current City of Austin floodplain regulations, drainage criteria, and water quality regulations and criteria. Methods to measure and options to reduce allowable impervious cover in each watershed relative to current code, and methods to measure and options to improve water quality in each watershed, should be developed for the new code and the following goals incorporated:

- i. Reductions in impervious cover city-wide should either decrease allowable impervious cover for, or make no change to, each individual watershed (relative to current code).
- ii. Improvements in water quality city-wide should result in improvements in water quality for each individual watershed.

The motion made by Council Member Pool was accepted as amended above.

A motion was made by Council Member Tovo to revise Question 1, Section 1 to read as follows. The code revision process should use the staff-recommended Draft 3 (text and map) as a baseline, with revisions made to implement policy direction provided below and in response to Questions 2-5. Staff should also review recommendations previously made by boards and commissions on Draft 3 and incorporate those with which staff agrees (all or in part), using a process such as that used for the Austin Strategic Mobility Plan. The Manager should work to deliver a new code that is simplified, can be applied consistently, and furthers the goals of the Imagine Austin Comprehensive Plan. The motion was accepted without objection.

A motion was made by Council Member Tovo and seconded by Council Member Kitchen to add a new “c” to Question 1, Section 4. The amendment was: Determinations about mapping should also be informed by the “Zoning Capacity and Redevelopment Analysis” completed by city staff, which analyzed residential dwelling unit potential by neighborhood planning areas across the city.

An amendment was made by Council Member Casar and Mayor Adler to revise the language to read: Determination about mapping should be informed by appropriate

analyses available to staff including but not limited to the “Zoning Capacity and Redevelopment Analysis” and the “Fregonese Study”. The amendment was approved on a 9-2 vote. Those voting aye were: Mayor Adler, Council Members Alter, Casar, Ellis, Flannigan, Kitchen, Pool, Renteria and Tovo. Those voting nay were: Mayor Pro Tem Garza and Council Member Harper-Madison.

A motion was made by Council Member Tovo and seconded by Council Member Kitchen to revise Question 1, Section 6 to read: To ensure that the Land Development Code and permitting process are streamlined to the greatest extent possible upon adoption of any revision to the Land Development Code, regulatory requirements related to certain key strategies of the adopted Water Forward, Austin’s 100-year integrated water resource plan, should be codified and implemented as part of this comprehensive land development code revision process. These strategies should include at a minimum: water benchmarking, dual plumbing, landscape transformation, and alternative water.

A substitute motion was made by Council Member Casar and seconded by Council Member Flannigan to revise Question 1, Section 6 to read: To ensure that the Land Development Code and permitting process are streamlined to the greatest extent possible upon adoption of any revision to the Land Development Code, regulatory requirements related to certain key strategies of the adopted Water Forward, Austin’s 100-year integrated water resource plan, that are related to the Land Development Code and are able to be accelerated and implemented this year, should be codified and implemented as part of this comprehensive land development code revision process. These strategies should include at a minimum: water benchmarking, dual plumbing, landscape transformation, and alternative water.

A motion to amend the substitute motion was approved on Mayor Adler’s motion. The amendment was: “Staff should report back on the following areas if they do not accelerate and implement these areas this year: water benchmarking, dual plumbing, landscape transformation, and alternative water.”

The substitute motion was approved as amended above on a 7-4 vote. Those voting aye were: Mayor Adler, Mayor Pro Tem Garza, Council Members Casar, Ellis, Flannigan, Harper-Madison and Renteria. Those voting nay were: Council Members Alter, Kitchen, Pool and Tovo.

A motion to revise Question 1, Section 6 was made by Council Member Tovo and seconded by Council Member Pool to include: “At a minimum the key strategies of water benchmarking, dual plumbing, landscape transformation and alternative water should be implemented and tested for commercial development of 250,000 square feet and more as part of this comprehensive land development process.” The motion was approved as amended below on an 11-0 vote.

An amendment was made by Council Member Casar and Mayor Adler to revise the language to read: “Staff should report back on the following areas if they do not accelerate and implement these areas this year (especially as concerns with commercial development of 250,000 square feet or more): water benchmarking, dual plumbing, landscape transformation, and alternative water.” The amendment was accepted.

The motion to revise Question 1, Section 5a was approved on Council Member Harper-Madison’s motion, Council Member Flannigan’s second on a 7-3 vote. Those voting aye were: Mayor Adler, Mayor Pro Tem Garza, Council Members Casar, Ellis, Flannigan,

Harper-Madison and Renteria. Those voting nay were: Council Members Kitchen, Pool and Tovo. Council Member Alter abstained. The amendment was to have the section read: “Existing NCCDs should be preserved and carried forward in the new code and map, however, Code and Zoning Map changes related to ADUs, Parking, Preservation Bonuses, Affordability Bonuses, lot size and Transition Area mapping (consistent with Council direction provided below and in response to Questions 2-5) should be applied to those NCCDs. Unique zoning districts (e.g., NCCDs) should be reevaluated in the current context of Austin’s housing and transportation needs in addition to analyzing the extent to which NCCDs provide missing middle housing.”

The motion to revise Question 2, Section 1b failed on Council Member Tovo’s motion, Council Member Alter’s second on a 2-8 vote. Those voting aye were: Council Members Pool and Tovo. Those voting nay were: Mayor Adler, Mayor Pro Tem Garza, Council Members Casar, Ellis, Flannigan, Harper-Madison, Kitchen and Renteria. Council Member Alter abstained. The amendment was: “In general, within activity centers, along activity corridors, along the higher capacity routes of the transit priority network...”

A motion to revise Question 2, Section 1c was made by Council Member Tovo and seconded by Council Member Pool. The amendment was: “The granting of new entitlements – especially in areas currently or susceptible to gentrification should be limited so as to reduce displacement and dis-incentivize the redevelopment of existing housing, especially multi-family residential development, unless substantial increases in long-term affordable housing will be otherwise achieved.”

An amendment was made by Council Member Casar and seconded by Council Member Flannigan to strike the first “especially”. The amendment was approved on a 7-4 vote. Those voting aye were: Mayor Adler, Mayor Pro Tem Garza, Council Members Casar, Ellis, Flannigan, Harper-Madison and Renteria. Those voting nay were: Council Members Alter, Kitchen, Pool and Tovo.

An amendment was made by Council Member Casar to revise the language to read: “The granting of new entitlements ... of existing housing. Existing market rate affordable multi-family should not be upzoned, unless substantial increases in long-term affordable housing will be otherwise achieved.”

The motion to revise Question 2, Section 1c as originally proposed by Council Member Tovo and seconded by Council Member Pool to include the language “...existing housing, especially multi-family...” after “redevelopment of” failed on a 4-7 vote. Those voting aye were: Council Members Alter, Kitchen, Pool and Tovo. Those voting nay were: Mayor Adler, Mayor Pro Tem Garza, Council Members Casar, Ellis, Flannigan, Harper-Madison and Renteria.

The amendment was made by Council Member Kitchen to revise the amendment to read: “The granting of new entitlements ... of existing housing. Existing market rate affordable multi-family should not be mapped to the upzone.”

The motion to approve the amendment as originally proposed by Council Member Casar failed on a 2-9 vote. Those voting aye were: Mayor Adler and Council Member Ellis. Those voting nay were: Mayor Pro Tem Garza, Council Members Alter, Casar, Flannigan, Harper-Madison, Kitchen, Pool, Renteria and Tovo.

The motion to approve the amendment as amended by Council Member Kitchen was approved on a 7-4 vote. Those voting aye were: Mayor Pro Tem Garza, Council Members Alter, Casar, Kitchen, Pool, Renteria and Tovo. Those voting nay were: Mayor Adler, Council Members Ellis, Flannigan and Harper-Madison.

The motion was made by Council Member Casar to revise Question 2, Section 1 by adding a new subsection to read: “Code and map revisions should maximize potential for employment and residential units within Downtown, with affordable housing benefits included and calibrated.” The motion was accepted as amended below.

An amendment was made by Council Member Tovo to add “in accordance with the Downtown Austin Plan and the guidance in this document” following the word “Downtown”. The amendment was accepted.

An amendment was made by Council Member Alter to add an additional sentence to read: Code and map revisions should maximize potential for employment and residential units within Regional Centers, with affordable housing benefits included and calibrated.” The amendment was accepted without objection.

A motion to revise Question 2, Section 1 to add a new subsection was made by Mayor Adler. The language is: Generally, revisions to the Zoning map should not result in a downzoning of an existing use.” The amendment was accepted without objection.

A motion was made by Council Member Kitchen and seconded by Council Member Pool to revise Question 2, Section 1 by adding a new subsection to read: “The code revision process should provide consideration of the need to upgrade infrastructure capacities 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 currently have adequate infrastructure in place, such as sidewalks, stormwater management, water pressure supply, and sewage line capacity.”

A substitute motion was made by Council Member Casar and seconded by Council Member Flannigan. The amendment was: The new Land Development Code provisions should:

- Improve the City’s fiscal health by (1) facilitating fiscally sound infrastructure investment for both public and private interests; and (2) applying the code in strategic locations that maximize public infrastructure investment and minimize long term obligations.
- Continue including a site plan process that assesses the infrastructure needs of developments and often facilitates the installation of new infrastructure funded in whole or in part by new development.

An amendment was proposed by Council Member Kitchen to revise the second bullet to read: “Continue to include and enhance a site plan process that assess the infrastructure needs of developments, including the cumulative impact of development, and facilitates the installation of new infrastructure funded in whole or part by the new development.” The amendment was accepted.

The substitute motion made by Council Member Casar was accepted as amended above without objection.

The motion by Council Member Kitchen to amend Question 2, Section 1 by including the language: The code revision process should provide consideration of the need to upgrade infrastructure capacities in areas proposed for increased density along the Transit Priority Network and Imagine Austin corridors and Centers.” The motion failed on a 4-7 vote. Those voting aye were: Council Members Alter, Kitchen, Pool and Tovo. Those voting nay were: Mayor Adler, Mayor Pro Tem Garza, Council Members Casar, Ellis, Flannigan, Harper-Madison and Renteria.

A motion was made by Council Member Kitchen and seconded by Council Member Pool to revise Question 2, Section one by adding a new subsection to read: “To greatest extent possible, include code restrictions that provide properties zoned for multi-family will develop with multi-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, and potentially expanded, so long as they are not demolished or substantially rebuilt.” The motion was accepted as amended below without objection.

A friendly amendment was made by Council Member Flannigan and accepted without objection. The amendment was to insert the language: “Staff should provide options for minimum unit yield base on the zone.”

A motion was made by Council Member Flannigan and seconded by Mayor Pro Tem Garza to revise Question 2, Section 2 to add a new subsection to read: “Options for reducing minimum lot size and lot width to achieve the goals elsewhere in this document, while also considering also considering public safety concerns.”

An amendment was made by Council Member Tovo and seconded by Council Member Alter to revise the amendment to read: “Options for reducing minimum lot size and lot width in undeveloped greenfield or undeveloped infill tracts.”

Council Member Tovo amended her motion to read: “Options for reducing minimum lot size and lot width in undeveloped greenfield or undeveloped infill tracts and on developed parcels with a requirement that the existing structure be preserved.”

Council Member Flannigan offered an amendment to include: “... and on developed parcels both with a requirement that the existing structure be preserved or not preserved.” The amendment was accepted as amended without objection.

An amendment was made by Council Member Tovo and seconded by Council Member Pool to include: “Staff shall provide Council with 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.” The amendment failed on a 4-7 vote. Those voting aye were: Council Members Alter, Kitchen, Pool and Tovo. Those voting nay were: Mayor Adler, Mayor Pro Tem Garza, Council Members Casar, Ellis, Flannigan, Harper-Madison and Renteria.

An amendment was made by Council Member Kitchen to add “... while including preservation goals.” The amendment was accepted.

The motion by Council Member Flannigan was approved as amended above on an 8-0 vote. Council Members Alter, Pool and Tovo abstained.

A motion was made by Mayor Adler and seconded by Mayor Pro Tem Garza to revise Question 2, Section 2 to add a new subsection to read: "For parcels within activity centers and on activity corridors, application of non-zoning regulations should be prioritized in a manner that allows for greater potential housing until yields than would otherwise be achieved without prioritization."

An amendment was made by Council Member Kitchen and seconded by Council Member Tovo to insert after the word "corridors" the following: "staff is directed to provide options and information about the impact of prioritizing..." The amendment failed on a 4-7 vote. Those voting aye were: Council Members Alter, Kitchen, Pool and Tovo. Those voting nay were: Mayor Adler, Mayor Pro Tem Garza, Council Members Casar, Ellis, Flannigan, Harper-Madison and Renteria.

A substitute motion was made by Council Member Alter and seconded by Council Member Pool to revise the section to read: "For parcels within activity centers and on activity corridors, the application of non-zoning regulations should not waive heritage tree protections or the requirements of the parkland dedication ordinance. Should the testing and modeling of the draft code demonstrate the parkland dedication ordinance significantly constrains our housing capacity goals in these areas, staff should return to council with options for achieving our housing capacity goals while still ensuring we reduce our parkland deficiencies." The motion failed on a 4-7 vote. Those voting aye were: Council Members Alter, Kitchen, Pool and Tovo. Those voting nay were: Mayor Adler, Mayor Pro Tem Garza, Council Members Casar, Ellis, Flannigan, Harper-Madison and Renteria.

The motion proposed by Mayor Adler was accepted without objection.

A motion was made by Mayor Adler and seconded by Council Member Alter to revise Question 2, Section 2 to add a new subsection to read: "Should the testing and modeling of the draft code demonstrate that any non-zoning regulations significantly constrain housing capacity within activity centers and on activity corridors, staff should provide council with options for best achieving the goals of non-zoning regulations while minimizing impact on achieving our housing capacity goals."

An amendment by Council Member Pool failed for lack of a second. The amendment was to revise the statement to read: "The testing and modeling of the draft code should seek ways to balance..."

The motion by Mayor Adler was approved on a 10-0 vote. Council Member Pool abstained.

A motion was made by Council Member Casar and seconded by Council Member Garza to revise Question 2, Section 2 to add a new subsection to read: "The application of non-zoning regulations to smaller, remaining downtown sites should allow for greater potential for employment and residential units than Draft 3, with affordable housing benefits included and calibrated in accordance with the Downtown Austin Plan and direction in this document." The motion was approved on a 10-0 vote. Council Member Pool was off the dais.

A motion was made by Council Member Tovo and seconded by Council Member Kitchen to revise Question 2, Section 3b to read: "A city-led testing process to assess the impact of revised regulations that includes participation by design and technical professionals and the

substantial involvement of the public. The testing should examine how the proposed zoning and non-zoning code provisions perform when applied to various types and scales of development, and staff should complete this testing prior to review by boards and commissions.”

An amendment was made by Council Member Kitchen to revise the first sentence to read: “A city-led testing process to assess the impact of revised regulations that includes participation by outside design and technical professionals, including architects, landscape architects, and engineers, in addition to city staff and the substantial involvement of the public.” The amendment was accepted without objection.

An amendment was made by Council Member Kitchen to revise the second sentence to read: It should provide accurate and careful modeling of corridor and transition area regulations so that Council and community discussions can focus on achieving policy results and include proposed non-zoning regulations as previously directed by Council Resolution No. 20180628-125.”

An amendment was made by Council Member Flannigan to delete “by Council Resolution No. 20180628-125 and to change “modeling” to “testing”. The amendment was accepted without objection.

An amendment was made by Council Member Flannigan to change “It should” to “Staff should”. The amendment was accepted without objection.

The motion by Council Member Tovo was approved as amended above on a 9-2 vote. Those voting aye were: Mayor Adler, Council Members Alter, Casar, Ellis, Harper-Madison Kitchen, Pool, Renteria and Tovo. Those voting nay were: Mayor Pro Tem Garza and Council Member Flannigan.

A motion was made by Council Member Kitchen and seconded by Council Member Pool to revise Question 2, Section 3 to add a new subsection to read: “When mapping the 30% missing middle housing goal, the existing missing middle housing in transition areas should be part of the accounting of the areas’ contribution to this goal.”

An amendment was made by Council Member Kitchen to revise the statement to read: “The existing missing middle housing in transition areas should be part of the information provided about an areas’ missing middle housing.”

The motion by Council Member Kitchen failed on a 5-6 vote. Those voting aye were: Council Members Alter, Flannigan, Kitchen, Pool and Tovo. Those voting nay were: Mayor Adler, Mayor Pro Tem Garza, Council Members Casar, Ellis, Harper-Madison and Renteria.

A motion was made by Council Member Kitchen and seconded by Council Member Pool to revise Question 3, Section 2 by adding the sentence: “Staff to additionally provide options for timelines and methods for implementation of changes to zoning to achieve additional housing capacity and affordable housing goals.”

An amendment was made by Council Member Casar and seconded by Council Member Flannigan to add “beyond those contained in the 2019 new code and map.”

An amendment was made by Mayor Adler to move the statement to Question 3, Section 1 and to revise the language to read: “Staff to provide options for timelines and methods for implementation of new code and map and to achieve additional housing capacity and affordable housing goals beyond those contained in the new code and map.”

The motion made by Council Member Kitchen was accepted as amended above.

A motion was made by Council Member Kitchen and seconded by Council Member Pool to revise Question 4, Section 2 to read:

“Maintain Draft 3’s no-build and vegetative buffers between residential and commercial uses, as well as other compatibility triggers and standards for properties adjacent to a Residential House-Scale zone. The only exception should be that the highest density Residential House-Scale zones should not trigger compatibility onto the lowest density Residential Multifamily zones in order to create smooth transitions.

- i. Include standards related to noise, uses, utility screening, trash, loading and pick-up zones as well as shielded lighting.
- ii. Include Green Infrastructure from Draft 3 and continue tree preservation policy as well as increasing tree canopy along corridors and centers to enhance walkability and curb heat island effect.”

A substitute motion was made by Council Member Casar to revise the section to read:

“The revisions should consider providing options for the following:

- i. Include standards related to noise, uses, utility screening, trash, loading and pick-up zones as well as shielded lighting.
- ii. Standards related to Green Infrastructure, tree preservation as well as increasing tree canopy along corridors and centers to enhance walkability and curb heat island effect.”

An amendment was made by Council Member Kitchen to change “consider providing” to “provide”. The amendment was accepted.

The motion made by Council Member Casar was accepted as amended above without objection.

A motion was made by Council Member Kitchen and seconded by Council Member Flannigan to revise Question 4, Section 3 as follows:

- Revise subsection “h” by deleting “(RM1 and above)
- Delete subsection “j”

The motion to revise subsection “h” was accepted without objection.

An amendment was made by Council Member Flannigan to revise subsection “j” to read: Four units within a house-scale should be the least intense zone within a transition area, subject to staff’s consideration of what’s appropriate.”

The motion to revise subsection “j” was approved as amended above on an 8-3 vote. Those voting aye were: Mayor Adler, Mayor Pro Tem Garza, Council Members Casar, Ellis, Flannigan, Harper-Madison, Kitchen and Renteria. Those voting nay were: Council Members Alter, Pool and Tovo.

A motion was made by Council Member Pool to revise Question 4, Section 3l by revising the fourth bullet point to read "Drainage and flooding considerations". The motion was accepted without objection.

A motion was made by Council Member Kitchen to revise Question 4, Section 3.e.iv. by changing the word "higher" to "high". The motion was accepted without objection.

A motion was made by Council Member Tovo and seconded by Council Member Pool to revise Question 4, Section 3 d to read: "Such mapping of this minimal transition zone may not occur in some situations, including instances where market affordable and/or missing middle housing is adjacent or proximate to a property fronting a corridor, or according to specific, context sensitive general criteria."

An amendment was made by Council Member Tovo to revise the language to read: "Mapping of lots within transition areas should respond to existing situations, including instances where market affordable and/or missing middle housing is adjacent or proximate to a property fronting a corridor, and to specific, context sensitive general criteria, provided by Council."

An amendment was made by Council Member Ellis to delete the words "and/or" after "affordable". The amendment was accepted without objection.

The motion by Council Member Tovo was approved as amended on an 8-3 vote. Those voting aye were: Mayor Adler, Council Members Alter, Casar, Ellis, Kitchen, Pool, Renteria and Tovo. Those voting nay were: Mayor Pro Tem Garza, Council Members Flannigan and Harper-Madison.

A motion was made by Council Member Casar to revise Question 4, Section 3.f and re-letter accordingly to read: "If the transition area is not on an Imagine Austin corridor, but is on a residential transit priority network street, the street facing lot should generally begin with missing middle zoning, rather than corridor zoning." The motion was accepted without objection.

A motion was made by Council Member Kitchen and seconded by Council Member Pool to revise Question 4, Section 3.f to add the following 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." The motion failed on a 5-6 vote. Those voting aye were: Council Members Alter, Flannigan, Kitchen, Pool and Tovo. Those voting nay were: Mayor Adler, Mayor Pro Tem Garza, Council Members Casar, Ellis, Harper-Madison and Renteria.

A motion was made by Council Member Casar and seconded by Council Member Renteria to revise Question 5, Section 2a to strike the word "walkshed". The motion was approved on an 8-3 vote. Those voting aye were: Mayor Adler, Mayor Pro Tem Garza, Council Members Casar, Ellis, Flannigan, Harper-Madison, Renteria and Tovo. Those voting nay were: Council Members Alter, Pool and Kitchen.

A motion was made by Council Member Tovo and seconded by Council Member Pool to revise Question 5, Section 2 a to read: "Minimum parking requirements should be generally eliminated in areas that are within the ¼ mile walkshed of activity centers, activity corridors, and transit priority network, except that some parking requirements may be

maintained for areas or uses 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)."

An amendment was made by Council Member Kitchen to change "determine" to "proposed". The amendment was accepted without objection.

An amendment was made by Mayor Adler to change "conditions to be proposed by staff and to consider the proximity of public schools." The amendment was accepted without objection.

An amendment was made by Council Member Kitchen and seconded by Council Member Alter to add "and narrow streets without sidewalks) to the end of the statement. The amendment failed on a 4-7 votes. Those voting aye were: Council Members Alter, Kitchen, Pool and Tovo. Those voting nay were: Mayor Adler, Mayor Pro Tem Garza, Council Members Casar, Ellis, Flannigan, Harper-Madison and Renteria.

The motion made by Council Member Tovo failed on a 4-7 votes. Those voting aye were: Council Members Alter, Kitchen, Pool and Tovo. Those voting nay were: Mayor Adler, Mayor Pro Tem Garza, Council Members Casar, Ellis, Flannigan, Harper-Madison and Renteria.

A motion was made by Council Member Tovo to revise Question 1, Section 1 to revise the section to read: "...the goals of the Imagine Austin Comprehensive Plan." The motion was accepted.

A motion was made by Council Member Tovo and seconded by Council Member Alter to revise Question 2, Section 1.b.i to strike "where economically viable". The motion failed on a 4-7 votes. Those voting aye were: Council Members Alter, Kitchen, Pool and Tovo. Those voting nay were: Mayor Adler, Mayor Pro Tem Garza, Council Members Casar, Ellis, Flannigan, Harper-Madison and Renteria.

A motion was made by Council Member Kitchen and seconded by Council Member Pool to revise Question 4, Section 3.e.iv to read: "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."

An amendment was made to add this as a new subsection rather than revising Section 3e.iv. The amendment was accepted without objection.

The motion by Council Member Kitchen was approved on a 7-3 vote. Those voting aye were: Council Members Casar, Ellis, Flannigan, Kitchen, Pool, Renteria and Tovo. Those voting nay were: Mayor Adler, Mayor Pro Tem Garza and Council Member Alter. Council Member Harper-Madison abstained.

A motion was made by Council Member Pool to include a new Planning Section to read:

- "1. Objective. The Manager should as soon as possible develop a proposed district level (e.g., ERC, North Burnet/Gateway Neighborhood Plan) planning process for Imagine Austin Activity Centers and Corridors susceptible to change, and include specific objectives for each plan related to achieving the goals of the Austin Strategic**

- Mobility Plan, Austin Strategic Housing Blueprint, and other Council policy priorities, such as:
- a. regional storm water and water quality planning,
 - b. parkland accessibility,
 - c. utility infrastructure,
 - d. walkability and connectivity,
 - e. increasing opportunities for missing middle housing, and
 - f. policy priorities associated with complete communities.
2. **Code Text.** The City Manager shall draft language for Council approval to codify the district level planning process and the criteria for selecting planning areas in the Land Development Code as follows:
- a. **Selection of Planning Areas:** Identify geographic areas along corridors throughout the city where district level planning will have maximum public benefit, paying particular attention to corridors (including streets and arterials) identified in the ASMP, Project Connect, and where construction, planning, and land acquisition with bond dollars will be applied and can be leveraged.
 - b. **Planning Process Criteria:** Determine when district-level planning for an area is needed to align with our adopted city goals and plans, including Imagine Austin, ASHB, ASMP, Age Friendly Austin Action Plan, the upcoming Parks Master Plan, and other relevant plans. Criteria should include, but not be limited to, the following information sources:
 - i. Planned transportation investments, including corridors with transportation bonds and public transit investments;
 - ii. Affordable housing investments;
 - v. Significant number or scale of private development;
 - vi. Market force indicators expressing need and opportunity to leverage an area's potential or significant public investment via facilities or other infrastructure;
 - vii. Areas of vulnerability identified using the mapping tool from the UT Gentrification & Displacement Study, "Uprooted"; and
 - viii. Include consideration for inhibiting displacement, preserving cultural and historic assets, promoting multi-generational housing, and support neighborhood schools, particularly schools with under-enrollment or in areas of rapid displacement.
3. **Timeline.** Multiple planning efforts for Activity Centers and Activity Corridors should occur concurrently, with a goal of completing those most susceptible to change within 5 years.
4. **Resources.** The Council recognizes that additional resources will be required to achieve this scale of planning in this time frame, and the use of consultants should be considered to allow for multiple district-level plans to be developed in order to meet this timeline.
5. **Community Engagement.** Planning should include robust engagement of adjacent stakeholders, but also include participation from across our city, as all parts of Austin have an interest in each part of Austin contributing equitably to our goals being met. Community engagement should specifically focus on elevating the voices of populations that have historically been underrepresented in planning processes (as was done with the Austin Strategic Mobility Plan), including: youth, seniors, people of color, and people with disabilities.
6. **Triggers for Plan Updates.** Staff should explore mechanisms to trigger when a Small Area Plan is updated, such as demographic changes or infrastructure improvements, and return to Council with recommendations."

An amendment was made by Council Member Casar and accepted as friendly. The amendment was to:

Revise the following to Section 1 and re-letter as required to add the following:

- a. housing capacity to reach the city's 10-year goals and beyond,
- b. affordable housing especially in high opportunity areas,
- c. anti-displacement and anti-gentrification measures where relevant,
- d. shared parking,"

Add a new subsection 2.c to read:

"Planning Process Types:

- i. Areas facing gentrification and/or displacement should have planning processes that focus on equity, community and economic development, and anti-displacement measures.
- ii. Higher opportunity areas should have planning processes that focus on reaching housing capacity goals and furthering fair housing/integration."

Revise subsection 4 to include the following: "The City Manager should ensure that planning processes have robust community engagement that incorporates door-to-door outreach, multi-language access, community organizing, and popular education regarding planning, zoning, equity, gentrification, displacement, and affordable housing."

Revise subsection 5 to read: "The City Manager should review the 2016 Neighborhood Plan Audit and incorporate recommendations into any new planning processes. Planning should include robust engagement of adjacent stakeholders, but also include participation from across our city, as all parts of Austin have an interest in each part of Austin contributing equitably to our goals being met. Community engagement should specifically focus on elevating the voices of populations that have historically been underrepresented in planning processes (as was done with the Austin Strategic Mobility Plan), including: renters, lower-income residents, youth, seniors, people of color, and people with disabilities. Staff should develop and track participation metrics for each planning area and target participation to be representative of the diversity of the planning area and the City as a whole."

Revise section 6 to include the following at the beginning of the section: "The planning horizon for each plan should align with Imagine Austin and be assessed and updated approximately every 5 years."

The motion by Council Member Pool was approved as amended above on a 9-2 vote. Those voting aye were: Mayor Adler, Council Members Casar, Ellis, Harper-Madison, Kitchen, Pool, Renteria and Tovo. Those voting nay were: Mayor Pro Tem Garza and Council Member Flannigan.

A motion was made by Council Member Kitchen to revise the section on Affordable Housing as follows:

Add new subsections to Section 2 to read:

"a. Increase Supply of Multi-Bedroom Housing for Families with Children: Ensure the code is providing an adequate supply of multi-bedroom housing throughout the community, creating diverse housing types and unit mix to meet the goal of 25% of affordable housing units that are created or preserved having two or more bedrooms. Set minimum bedroom requirements that encourage dwellings for families with children and multi-generational

households. Propose mechanisms to prioritize areas close to schools. Housing Blueprint, p. 21.

d. Bring Options for Implementing a Density Bonus Program for Missing Middle: Provide options for a density bonus program at the edges of centers and corridors or on collector streets. In this type of bonus program, the “density” could take the form of units (rather than height or bulk), allowing more units within the same size building. Housing Blueprint, p. 32.

j. Utilize Planned Unit Developments (PUDs) to Provide a Range of Affordability: Provide options to leverage or require PUD zoning to produce more affordable housing. PUDs present a unique opportunity to provide a range of affordability through increased housing diversity and improved transportation choices. Housing Blueprint, p. 34.

n. Tie and Target increased Entitlements to Affordable Housing: Provide options to prioritize and tie incentives and target mapping to achieve development of the 60,000 housing units (20,000 at 30% MFI and below/ 25,000 at 31-60% MFI/ and 15,000 61-80% MFI). These categories of affordability are the most challenging for the market to address. Focus on centers and corridors targeted for growth under Imagine Austin.”

A substitute motion was made by Council Member Casar to revise the new Affordable Housing Section to read:

1. Objective: The Land Development Code should support the city’s 10-year Affordable Housing Goals and align resources and ensure a unified strategic direction to achieve a shared vision of housing affordability for all Austinites in all parts of the city. The City Manager should identify and propose for Council approval amendments to the Land Development Code that will further the housing goals established in the Austin Strategic Housing Blueprint (ASHB):

- At least 75% of new housing units should be within ½ mile of Imagine Austin Centers and Corridors (see the Figure 10 map showing Imagine Austin Centers and Corridors)
- Preserve 10,000 affordable housing units over 10 years
- Produce 100 Permanent Supportive Housing (PSH) units each year, with half of those units (50) being Housing First
- At least 25% of new income-restricted affordable housing should be in high opportunity areas
- At least 30% of new housing should be a range of housing types from small-lot single-family to eight-plexes to help address Austin’s need for multi-generational housing.

2. Code Text: Code revisions for Council approval should include provisions to achieve the following ASHB “Key Actions” that are related to the Land Development Code in addition to those already included in response to the City Managers questions 1 to 5 (*indicates strategies with highest potential impact):

a. Prevent Households from Being Priced Out of Austin

- Allow Homeowners to Rent a Portion of Their House as a Separate Housing Unit
- Increase the Supply of Multi-Bedroom Housing for Families with Children
- Prevent Displacement of Low- and Moderate-Income Homeowners
- Preserve and Create Ownership Options for Households at 80% to 120% MFI

b. Foster Equitable, Integrated and Diverse Communities

- *Implement the City of Austin’s Fair Housing Action Plan and Bolster Enforcement of Existing Fair Housing Requirements
- Implement Tenant Relocation Assistance Program

- **Protect Renters from Discrimination Based on Source of Income**
 - **Add Flexibility to Occupancy Limits**
 - **Support Community Goal for At Least 25% of New Income-Restricted Affordable Housing to be in Moderate-to-High Opportunity Areas**
- c. Invest In Housing for Those Most in Need**
- **Incentive Programs**
 - **Expand the Supply of Housing for People with Disabilities**
- d. Create New and Affordable Housing Choices for All Austinites in All Parts of Austin**
- **[c] *Implement Consistent Density Bonus Programs for Centers and Corridors**
 - ***Streamline City Codes and Permitting Processes**
 - **[f] Better Utilize Land for Affordable Housing**
 - **[e] Revise S.M.A.R.T. Housing Program**
 - **[d] Implement Density Bonus Program for Missing Middle Housing**
 - **[h] Allow the Development of Smaller Houses on Smaller Lots**
 - **Create Pre-Approved Standard Plans for Infill Development**
 - **[g] Relax Regulations on both Internal and External Accessory Dwelling Units (ADUs)**
 - **Relax Regulations on More Affordable Housing Products**
 - **[i] Relax Regulations on Housing Cooperatives (Co-ops)**
 - **[j] Utilize Planned Unit Developments (PUDs) to Provide a Range of Affordability**
 - **[k] Increase Housing Diversity in New Subdivisions**
 - **Consider Building and Fire Code Modifications to Allow Six Stories of Wood Frame Construction**
- e. Help Austinites Reduce their Household Cost**
- **[l] *Minimize the Displacement of Core Transit Riders**
 - **[m] *Link Housing Choices with Transportation Choices**
 - ***Comprehensive Parking Reform**
- 3. Zoning Map. Propose options for mapping the provisions above dependent on geographic locations (such as high opportunity areas, centers, corridors, and transit) to achieve affordable housing goals over the next ten years.**

An amendment was made by Council Member Kitchen to revise the third bullet point under Section 1 to read: “Produce Permanent Supportive Housing sufficient to meet the need”. The amendment was accepted without objection.

An amendment was made by Council Member Kitchen to include at the end of the first paragraph of Section 1 the following: “Implement recommendations for achieving these goals included in the Austin Strategic Housing Blueprint (ASHB) and the ASHB Implementation Plan (if adopted by Council). The amendment was accepted without objection.

The motion proposed by Council Member Kitchen failed on a 4-7 vote. Those voting aye were: Council Members Alter, Kitchen, Pool and Tovo. Those voting nay were: Mayor Adler, Mayor Pro Tem Garza, Council Members Casar, Ellis, Flannigan, Harper-Madison and Renteria.

The motion proposed by Council Member Casar was approved as amended above on a 9-1 vote. Council Member Flannigan voted nay. Council Member Harper-Madison abstained.

A motion to revise Question 1, Section 1 was approved on Mayor Pro Tem Garza's motion, Council Member Harper-Madison's second on an 11-0 vote. The amendment was to add the following statement at the beginning of number one: "The new code should prioritize all types of homes for all kinds of people in all parts of town (our Strategic Housing Blueprint goals) and a development pattern that supports 50/50 Transportation Mode Share by 2039 (our Austin Strategic Mobility Plan)."

The motion to approve policy direction and guidance relating to the Land Development Code revision as listed above was approved on an 8-3 vote. Mayor Adler, Mayor Protem Garza, and Council Members Casar, Ellis, Flannigan, Harper-Madison, Kitchen, and Renteria voted aye. Council Members Alter, Pool and Tovo voted nay.

Mayor Adler adjourned the meeting at 10:38 p.m. without objection.

The minutes were approved on this the 23rd day of May 2019 on Mayor Pro Tem Garza's motion, Council Member Casar's second on a 10-0 vote.