

Mobility Committee Meeting Transcript – 10/08/2020

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all here who are going to be here, so let's convene this meeting of the council's mobility committee, it is one po 7:00 P.M. I am vice chair, councilmember Jimmy Flannigan, councilmembers, able alter Ellis and Garza are present, chair and councilmember kitchen will not be attending the meeting today. We have just a couple of items on the agenda. We will try to go through them expediently, I know some of us have commitments at 2:30 and 3:00. So the staff, is there any, anyone signed up for citizens communication or public comment? >> >> We will double-check that, first item is approval of minutes from the August 20th meeting. Do I have a motion to move. >> Moved and seconded by Ellis. Any discussion? Hearing no objection, the minutes are approved with councilmember kitchen absent. We will move on to our item

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number 2 .. And if there are folks who are signed up we can get to them after this. Leann, Jake, I am going to pull up the screen. There we go. >> And this is -- I think we are good to go. >> Yes. >> Perfect. Thank you so much. >> All right. Thank you, everyone for having me back today to talk about the street impact program development, my name is he ab Mueller, program manager with Austin transportation department. We have been here several times, we have talked about the impact fee and wanted to provide an update, so if we can go to the next slidely walk through the presentation that we have prepared today. I will cover prior meetings and actions that have occurred since your last briefing and give an

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overview of how the ordinances that have been drafted are organized and the different elements that council will be deciding on, I will also cover the recommendations we received in July on the draft proposals that staff had made this summer and where we are on incorporating those recommendations into the draft ordinances. And then I will talk about the revenue projections based off of the revised staff recommendation on collection rates and then the next step in bringing an ordinance to council. So going to the next slide, prior meetings are, or a lot of meetings occurred between 2016 and 2019. These are just those major time points where we developed the study, so leading up to this calendar year, that was our main effort was developing the fee impact study which studied the land use presumption and the roadway capacity plan.

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That worked H work was advised by the impact fee advisory committee that is appointed by council and council approved the study elements last August. >> On the next slide, these are the dates in this calendar year, so we completed the calculations for the 2020 study and presented them to the impact fee advisory committee for their approval back in March. All before we were in this pandemic. And then in April, the impact fee advisory committee recommended the fee collection rates and policy. I presented those recommendations to this committee last, at the end of April and then to the full council at your work session on June 9th. Since then, we have presented to the advisory council the pedestrian advisory council, urban transportation commission, the codes and ordinances joint committee 0, planning commission and zoning and platting

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commission, and to the full planning commission, we received policy recommendations from some of these commissions which I will review today. So the last full council briefing on this item was as of June ninth work session. So -- and then we have provided a revised recommendations for council's consideration .. At the July 30th meeting. At your meeting on July 30th opened and held a public hearing which continued to the August 27th meeting. However, staff ultimately requested that those items be withdrawn to allow additional time to incorporate the recommendations from planning commission that were received on July 28th. At the council meeting on September 17th, council reset that public hearing for November 12th, so bringing back this item to November 12th. We also held a public with

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webinar on updated staff recommendations on July 21st, and the video of that is available on the impact fee website. So that is everything that has occurred in 2020 and then the next slide which you have already seen is the feedback that we have heard from various groups, I covered this back in June but we have gotten more feedback since then so I wanted to recap those sentiment Wes have heard about impact fee proposals. We have heard that smaller -- development is concerned about the impact of an impact fee and wants to understand how this process is different from what they are experiencing today. The need to continue encouraging edus and not create a program that might disincentivize to build one of these units so the desire not to disincentivize multifamily and the middle housing developments that we

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need to consider equity within the development of the program, including historic underinvestment in infrastructure and the impact on affordability, reductions in impact fees for deeply affordable housing, encouraging sustainable transportation goals and meeting our asmp goals of 1939 and considering the current economic environment of the pandemic, as well as wanting to have growth contribute a bigger share to pay for the next infrastructure to serve growth. So we have heard all of those things on many times in speaking to different groups, so I wanted to bring that back to -- in front of you all, so going to the next slide, I want to introduce all of -- this is kind of a nitty-gritty so going to the next slide this, a nitty-gritty presentation on the

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policies. It's some new content today you haven't seen before so I want to walk through each of the ordinances and their main sections and then the policy recommendations that we've received on each and how we've been attempting to incorporate those. So on slide seven the -- so two slides back if we could go back. Council has considered the following factors and establishing a policy. Could we go back to slide 7, please? The primary decision is on

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the election rate so that's the fee that would actually be collected at the time of earning limit. This is the predictability that the community has been asking for. The community would be required to pay. And this rate can be anywhere up to the maximum as determined by the impact fee study for each service area, but when people ask what's the impact fee in Austin for roadways, this is a number that I would tell them. So I think this is the critical part of the ordinance. There are also other items that we've talked about before, the effective date of the ordinance and what type of grace period or phasing would be allowed. So phasing meaning starting with one option in year one and transitioning to another in the

future. The grace period being how much time between an ordinance adoption and fee collection, which would a fee be triggered offsets what development would be

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allowed to offset their impact fee by building system improvements. So so this is something that's required in state law so we have a section in the ordinance that explains what types of developments could and how they could go about securing those offsets and then reduction. So for different development types that reduce the impact to the roadway capacity or the need for new roadway capacity such as transit oriented development or further other city object sieves like affordable, these are elements of the ordinances as well and we have received recommendations on each of these so I'd like to go through. In addition we've received some recommendations for changes to administrative processes that staff is also considering, but they're not part of the ordinances so we won't cover them in detail today. An example of that, the

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planning commission recommended that before the five-year review period that the city auditor performs the administration and issues that come before council. So far that's just an example that isn't contained within the ordinance itself. Going to slide 8, there are two ordinances so I want to clarify that so you've already seen two items on your council agenda when this has come for public hearing. One amends the land development code number 25-6, which is the transportation section, which this portion of the chapter would add an article to a enable the impact fee program and then the second ordinance adopts the study and the fee schedule as well as the land use vehicle mile equivalency table, which is a mouthful. We call it the

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[indiscernible] Which is the technical piece and the way to see the number of vehicle miles generated for different land uses and that will ultimately feed the work fee that applicants will use to calculate their fees. So this is where the fee schedule is adopted. So why do we have two ordinances? We were following the Austin water structure to have the enabling flange the code and then I have a section that references the fact that there is a fee schedule and a study, but that those things are amended every five years. So rather than amending the code every five years, we're updating the fee schedule and the study every five years to be a separate ordinance. So that's the reason for the two separate ordinances. So on to slide nine, I'm showing the structure of the code amendment ordinance. This is the beefier of the two. It has four main sections

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is, general provisions which include definition. Also this is where we reference to the other ordinance that adopts the study and the fee schedule. The second division is fee establish that talks about the assessment, how fees are assessed and collected and how they are to be calculated. The third division is determination of service units, which is a small section that just says the applicant is allowed to provide an alternative calculation if their equivalent land use is not found in that luvmet. The last section is the one where we talk about the reductions and the offset. So this is the one that's probably the most specific to the city of Austin when it comes to this ordinance. And just to remind everyone when we're talking about service unit and roadway feels that's vehicle miles.

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So one vehicle to travel one mile during the P.M. Peak period. So we're looking at the average trip vehicle miles and trip length calculation for the impact fee. So it's a dollar per vehicle mile is the final fee. So slide 10 is the overview of the fee schedule ordinance, so the other ordinance. It's shorter. It has this one main part with some subsections, what is adopted via this ordinance is land use assumptions, the roadway capacity plan and the service areas, those main elements of the study. It also adopts the maximum accessible fee per service unit for each service area. So that's a table that says in service area a this is the maximum based on what the study determined. And then it has that collected impact fee table so relative to the maximum

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what is that collected rate. And it includes the luvmet table. So you can actually see the list of land uses and their vehicle mile generated and inside and outside the loop service areas are delineated there as well as the effective date of the ordinance. So slide is a reminder of what's inside and outside the loop service areas are. So this is the language right out of the ordinance so service areas fij, downtown and located entirely within that inner loop boundary and those are is services for the purposes of the collection rate. And then all of the other service areas are considered outside the loop. And why this is important again is the loop inside and outside informs the trip length so based on the regional travel demand model and the national household travel survey we know that

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trip lengths further from the city center are longer so that affects the ultimate service units that are generated from each development. So all the inside the loop service areas have the same versus the outside the loop. And that informs the vehicle miles that are generated from each service area. So that's important. Slide 12 is the luvmet itself. Very transportation engineering document here that shows for each of those example -- each of these land uses what is the vehicle miles that it generated, whether that land use is inside and outside the loop on a specific development unit so whether that's a dwelling unit for residential development, a room in a hotel, a thousand square feet for commercial uses and then the service

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unit is that vehicle mile. So the trip lengths again are based on the travel demand model and national household travel survey developed by the federal highway administration. And the trip generation rates are based on the institute of transportation engineers' trip generation manual. So going to slide 13 this is a lot of different terms and we've gotten some questions about how you would actually go about making an estimate for a specific development. Of course, we have developers that are very interested in doing that. So the fee calculation is a fairly simple algebra, but I want to show a couple of examples of how it would be calculated. The first example is an apartment complex development. So mid rise apartment, so three to 10 stories. 258 units.

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And the example development is proposed to be outside the loop and outside the loop service area so you would multiply the number of units via the vehicle miles generated per dwelling unit times the collection rate, the dollar per vehicle mile. So that results in a 414,000 for 77-dollar fee. And the second example is for a 10,000 square foot office. This is a nonresidential development inside the loop. The development unit for this type of land use is 1,000 square feet, so you take 10,000 divided by 1,000 and you have 10 different development units multiplied by 4.27 vehicle miles per thousand square feet times the dollar per vehicle mile for nonresidential development, the collection rate. So that's \$51,888.50. So that's how you would get to the collected fee. And I have that in Orange

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text at the top of the slide. On slide 14, we're -- I want to move into talking through each of the ordinance elements and the recommendations that we received. Are there any questions before I do that? I went through a good amount. >> Flannigan: Maybe keep going and we'll do questions at the end. >> I'll do that. The collection rate, what was presented to you this summer was the impact fee advisory committee recommendation of 50% of the maximum for each service area for nonresidential land uses

and 35% of the maximum for residential land uses as determined the maximum amount determined by the study. So if you remember the bar charts with -- for each service area, it was very varied based on the maximum

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so that 35 and 50 percent is proportionate to the maximum so we had a different number in every service area. Code and ordinances made a recommendation to the collection rate in over five years so it will be similar to a three year period. Planning commission did not make a recommendation on the rate, but recommend that we separate the fee schedule for downtown and U.N.O. Or west campus area from the other inner loop service areas. So in presenting the impact fee advisory committee recommendation to stakeholders and also to a group of staff within the city in different departments, we started seeing how some of the service areas on -- some of our higher service area,

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excluding service K area on the westside, the other highest service areas were all on the eastern crescent and that started to raise concerns about the equity of the policy, and how we may or may not be penalizing development that is occurring later within service areas that have been underinvested in in the past on transportation infrastructure are now needing to supply more of that owe mother of that capacity whereas in other parts of the city the city has invested in infrastructure that has been paid for through general obligation bonds that are supported by all of the city's taxpayers. So the recommendation was to look at what would happen if we kind of normalized the fee to account for these historic underinvestments. And so we looked at what would occur if we applied a

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50% of the citywide maximum for nonresidential land uses and 35% of the citywide maximum for residential land uses. So looking at the citywide maximum instead of the maximum in every service area. In this case the citywide maximum was about \$2,430 so in some cases it was higher than the service area maximum and in other cases it was lower, but because we were taking the 35 and 50% of that, we didn't exceed any service areas -- individual service area maximum. So I'll have a couple more slides that shows the result of that, but a couple of other things that were recommended through this staff discussion were a small business exemption for nonresidential land uses under a certain square footage, so really trying to get at those smaller land uses, having a lower collection rate and then also focusing on some specific land uses where you

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have disparities beyond the city and access. So on financial institutions in service areas cgo and P, which are all east of I-35 and then grocery stores also in those same service areas would have a zero dollar collection rate. So those items were -- are in the draft staff recommendation. Going to slide 15 back to that 50 and 35% of the citywide maximum, that results in one dollar per vehicle mile for nonresidential land uses and one dollar per vehicle mile rather than having a different number for every service area. So once we have that the only really difference is whether you're inside the loop or outside of the loop based on those difference in trip lengths. So a single-family home inside the loop would all be the same rate. A single-family home outside the loop would all be the

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same rate. And you can see that in the chart on the bottom ride of that slide. On the left is the maximum fee. Some average, median and then the highest and lowest. And you can see how varied those numbers are versus the kind of normalizing that's occurring in the chart on the right. So going to slide 16 this is seeing those numbers again for example land uses for single-family -- just house scale multi-family, mid rise apartments, hi-rise and then a couple of nonresidential uses. So generally what this did was increase the fee slightly inside the loop service areas and decrease -- I think it really actually depends more on if you're on the east or

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westside how that made that -- that changed from the initial impact fee advisory committee. So it made that that those service areas that were significantly higher than others were brought down to be the same across all of the service areas. We can come back to that topic, but going on to the next ordinance element the effective date. So the impact fee advisory committee recommended that the effective date of the ordinance be the adoption date or as close to it as possible and that all developments that maintain a building permit within one year of that date shall pay for fee for a year. So that essentially is a one-year grace period that. One year grace period is required for previously platted properties, but this was an extension of that grace period to all developments so they would

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have one year to get the permit before it would go into effect. Staff agreed with that recommendation, but after some discussions with existing developments that are underway both city sponsored and private developments, we consider that adding an exemption for development applications where a

transportation impact analysis has already been approved prior to the adoption date, would receive and extended case period of three years to get those building permits. So just honoring the fact that we have developments with approved impact analysis that are financing their project. On to the next slide 18 talking about offsets. Again, offsets are offsetting -- essentially offsetting the fee, otherwise due for infrastructure that is built by the development that is

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in the roadway capacity plan. So instead of paying a fee they may build an infrastructure improvement and need to be credited for that contribution. So the planning commission recommended that we include an offset for on-site bicycle facilities or multi-modal parking, that that be deducted from their total impact fee. While we recognize that is an important requirement of developments that we'd like to see, we're not able to -- you guys have heard me talk about this before based on local government code that standalone bicycle and pedestrian improvements are not authorized as offset for the local government code unless those facilities are part of roadway capacity plan projects. So we can acknowledge those elements as part of projects that are in the roadway capacity plan, but not as

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standalone elements themselves. So we can partially address that recommendation. On slide 19, now we're going into the reduction section of the ordinances. So there are lots of different ideas on this topic. The impact fee advisory committee's recommendation was fairly straightforward. They said that developments could qualify for a 20% fee reduction for internal capture, which is based on mixed use developments where some of the trips are contained within the development. They're going from one land use to another within the existing -- within the development itself. Up to 50% reduction based on approved tdm, transportation demand management plan, per the transportation criteria manual, and that city goals related to affordable

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housing should be considered in determining whether or not reduction should be granted for qualifying projects. They wanted to say, you know, go and look at how you would handle affordable housing reductions. So codes and ordinances recommended that a substantial discount be provided for properties within a quarter mile of the transit priority network. We agreed with providing a reduction for proximity to transit. We had a request from our development department staff to get a 100% fee reduction for spaces under 20,000 square feet. Unfortunately we haven't been able to include that recommendation in the staff draft ordinance because we don't have definitions in land development

code for creative spaces. So that is just a technical challenge that we have right now with our current regulatory structure. On slide 20 the planning

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commission spent the most time talking about reductions. They focused on a couple of different sections of reductions so under mobility, up to 40% reduction should be granted for sites within a quarter mile of the tpm, the transit priority network, from the strategic plan -- strategic mobility plan, so trying proximity to and parking together and up to a 60% reduction for sites within a quarter mile of the transit priority network or half mile of light rail stations based on parking and a 10% reduction could also be reached if they're within a half mile of the bicycle priority network. And from the strategic mobility plan. They wanted to make an exception to those reductions for single-family residential with greater than two parking spaces per

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unit. Would not be eligible. There was -- they wanted to make sure an applicant had the ability to submit a tia and be eligible for the maximum mobility reduction based on their own alternative calculation. And wanted to treat -- again treating the university neighborhood overlay west campus areas entirely served by bike and transit networks and that up to a 70% reduction there would be based on parking. They also recommended an attendant displacement policy that any site in potential displacement areas per a map that were to be published now by the housing and planning department that already contains existing units would not be eligible for mobility reductions. Kind of reduce that -- reduce the development

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pressure. Affordable housing should scale the reduction within the income levels for what income level is being restricted in the affordable housing as well as for the length of the affordability period. And that reductions are only available off site and on-site and those developments wouldn't have a requirement for transportation demand management. And then they also wanted to exempt areas not served by grocery scores and one parking space could be added with an Adu if the existing structure was preserved. This is in response to the staff recommendation to say you could add up to three additional units on a residential where the development -- you have the development rights to do so as long as you're not providing additional parking you would not have a fee. So they wanted to say well,

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you could have one additional parking space with an Adu if the existing structure is preserved. So staff recommendations, taking all of that into account, and wanting to make sure that we are creating a defensible program that is technically sound and in alignment with existing transportation development review practices and our technical guidance, we recommend the internal capture of up to 20% that is consistent with what we're doing today and with other cities in Texas that we would acknowledge the use of transportation demand management measures, specifically transit proximity and reduced parking. We're still working out the language of exactly how to do that building -- building this is getting out those

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small mall -- small business type of developments where we are having an existing occupied building that is either changing a use or adding a small addition would have an exception. We may be changing that wording a little bit to focus on the amount of trips being generated rather than the actual size of the development. That if you're having a very negligible number of trips added that that's how you would achieve that 100% reduction. And then the infill units for existing land uses that are set up and residential land uses that add up to three additional dwelling units with no parking added would receive a reduction to not disincentivize the infill redevelopment of housing. And lastly on affordable housing, there is specific language in local government code 395 about affordable

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housing fee waivers from impact fees. And so we are wanting to make sure that our language is in alignment with that statute and so the current recommendation from housing and planning is that applicants who meet requirements will -- may request 100% reduction for all of the units that meet the requirements. So instead of that reduction applying to the entire development, it still applies specifically to those affordable units. So that is all that I have on reductions. Now going -- next slide is on to the revenue projections, so this is just a revision of what I showed back in June on slide 23 we have the pie charts that you might remember seeing. On the left is the pie itself represents the roadway capacity plan in total the cost so the

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\$3.2 billion plan, the impact fee is a 10-year horizon. So we are only able to recover the impacts of development within 10 years so that's represented by the ordinance, the large Orange pie splice 1.8 billion at the top of the pie and then the blue sections on the bottom are either cost to meet existing

demands. So existing demand that is there today or demand occurs beyond the 10-year window. So we're -- the impact fee cannot recoup those costs. So with the staff recommended collection rates of 12.15 per vehicle mile and 850 per vehicle mile for residential mile effectively that essentially eats into some of that Orange pie slice so the dark purple reflects that and then the light purple slice of anticipated reductions is those other elements after

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we look at the collection rate that developments may apply for that would take up additional parts of revenue. So what we have then ultimately is an estimate of 259 million over a 10-year period would be the projected revenue. That would be in either -- in either fees themselves or in offsets. So actually infrastructure constructed. The next slide 24 shows the same information just in a percentage basis so looking at 56.1 percent of the roadway capacity plan is actually recoverable by the impact fee program and then we would be projecting an 8.1% collection based on the staff recommendation. Slide 25 just shows that

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information in bullets, so the -- without -- based on the collection rates that light purple and Orange slice together is cumulatively 782 million over 10 years. That doesn't include any reductions. Adding those assumptions we don't know exactly what developments we'll choose to utilize, but making some assumptions about what reductions will be granted that's how we get to that 259 million over 10 years. As you might remember, I've said before that that's approximately twice what Fort Worth has seen from their program since its inception in 2008. They've seen about 170 million, about 15 million a year and that's between again fee revenue and offsets where a developer actually built the infrastructure. Slide 26, just to recap so those four main elements of the ordinance, the collection rate. What is the amount per

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vehicle mile, the effective date, is there any grace period or phasing? The offsets is fairly straightforward. System improvements built by development would be credited towards their fee and then reduction for developments that are reducing impacts to roadway capacity or are delivering affordable housing that is eligible based on state law reductions. So lastly, bringing us back to the slide that you've seen before, 27, why are we looking at impact fees, right? We are wanting a more equitable system, a more predictable system towards the development community and the community at large. We want to R. More transparent in what is being required and what developments are having to contribute towards the roadway system and that is publicly available and available to calculate upfront.

And then we also want -- we're interested in this system being more flexible than what we have today and being able to spend funds

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within a service area within a period of 10 years as well as having development contribute to that infrastructure instead of paying a fee. Ultimately we're looking for a fair and reason fee that development should pay for vehicle capacity improvements. Next steps, slide 28. Our next step is for the staff recommended ordinances to provide to you in your backup. In addition to those ordinances, staff is in coordination with your housing and planning department developing an affordability impact statement as required that will be available and will discuss several different examples of how this impact fee might affect housing affordability. The public hearing as I mentioned is scheduled for November 12th. After that we would move --

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after ordinance approval we would work on developing administrative procedures, including training for applicants and staff and how to administer the program. So that grace period gives us time to do that. And then slide 29 is just the information on how to get to the study and find more information about the program and what we've recommended. So that's also [indiscernible] Impact fee and that is all I have for you. And I'm happy to take any questions. Thank you for letting me go through all that in such detail. >> Flannigan: Great. And that was a long time to speak uninterrupted. You did a great job. Colleagues, questions? I can pull up individual slides if you have questions with the slide or I can take the slide down?

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Thoughts, questions? Councilmember Ellis. >> Ellis: I've got one and I'm sorry I don't know which slide it was on, but it was about building reuse and an exemption for under 1,000 square feet. Can you tell me what specifically types of structures that is intended to be talking about? >> We intended that to apply to really any structure. We were really thinking about previously occupied buildings, so not the speculative kind of shell structure that a developer might build that hasn't had a tenant yet. We're thinking of an existing structure that is either a residential use that's being converted into a commercial use, a commercial use going from one type to another. So just trying to recognize those small incremental

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changes. I think what I mentioned about going to trip increases, while it's a slightly more complicated calculation for the transportation reviewer not looking at the plan and seeing is this a thousand square feet or not, it's saying is this land use development -- land use generating more trips over a certain threshold than the existing land use, maybe a way to have a little bit more understanding about what type of impact we are allowing this exemption for. So if you're going from two trips in the P.M. Peak to 10 trips versus something more substantial than that is what we're trying get at with that. So the example I always think of is the single-family home on a major corridor that turns into a hair salon or a law office or a restaurant that turns into a yoga studio, those types of things where we're not having a

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significant impact on the roadway system. >> Gotcha. That's helpful. Thank you. >> Flannigan: Councilmember alter. >> Alter: Can you hear me? I had to turn my -- okay. So thank you very much. I know this has been a lot of work and I'm excited to see us put this over the threshold here. I wanted to make sure I was understanding that -- I know you had gotten a lot of flack over the course of time, and as I'm reading this you're presenting us with the feedback you received and then the staff recommendation, that's what you put in there. And it may or may not have adapted any particular commission or group's recommendation, is that correct? >> Right. And what I'm doing for you all that will also be part of your backup is do you meaning those different recommendations much like we did with the strategic

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mobility plan and saying yes, staff agreed or didn't agree with this recommendation and here's where it was addressed in the ordinance or why it was not incorporated. So I want to provide that transparency of exactly what was recommended by each commission and how it's been incorporated. So we are doing our best and due diligence to try to include everything that we can, but we're also getting, you know, advised by the attorneys on making sure that the program is in accordance with state statute. >> I appreciate that. I wanted to make sure I was understanding that correctly in how it was presented. And for the November date we're having the public hearing and considering the ordinance on the same day, is that correct? >> Yes, I believe that's how it is posted. >> Alter: Okay.

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>> Alter: I'm going to need to digest some of the recommendations and think more carefully about them and what their implications are and I've asked for this multiple times along the way. I would like to see

how this plays out with some specific cases and I imagine you just couldn't present everything. As you've discussed before there are some cases that I'm very familiar with and I want to make sure that we're getting additional transportation system infrastructure taken care of as we move to this. And I think those comparisons are going to be very helpful for me. Please make sure that I have those before we consider them. >> Absolutely. >> Flannigan: I have a question on the planning commission recommendations. Part of the recommendation where they talked about reduced fees based on projection similarity to priority transit New York, are there reasons for that

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or is it included? >> So I think the slide is vague of how it is right now because it is really something that we're working on making is sure that the development of this policy is speaking well with the transportation criteria manual that's being revised and the processes within that manual when you're working on an impact analysis and what types of trip reductions are being considered for a very -- a variety of factors and the context that you're in we agree with the commission that transit priority parking are critical levers that result in a development that screen rate less trips and we're looking to incorporating that. So transit proximity, parking and internal capture are all elements that will be part of the staff ordinance. It may just not be the exact

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words that the planning commission recommended and the percentages may be slightly different based on I think they were really looking at a -- the idea of trying to incentivize those developments to occur in different areas and so those numbers of 40 and 60% are significant because they wanted to incentivize that to occur. We need to make sure that those actually are technically sound and that those trip reductions are achievable in different contexts so that's what we're really trying to hone in on based on national research of what is the actual impact of a development being near transit, what does it actually do to their impact on the network. >> Flannigan: I'm interested in the structure around this and less so on whether 40 is the right number or 60% or 30% or 40% because those are the things that will change every five years when we review our fee structures and all that.

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And I guess my last question because there's a lot to dig into as councilmember alter said, my last question really is what was the thinking behind moving away from separate fee schedules per zone to just two fee schedules inside and now. >> Right. You're referring back to the change from the advisory committee to the staff recommendation. It really came down to the -- on those service areas that had much higher fees. So mostly in the outer loop, but primarily on the eastside that had higher maximums

because they -- while experiencing a lot of growth, they have more infrastructure needs, more capacity needs than other areas of the city. And so that was resulting in a higher maximum of fees, and when we were looking at certain developments like a colony park or other parts

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of the city, and the impact of the higher impact fee on those areas, there was concern that we were furthering inequities in providing those higher fees. I think the thing that we struggled with a little bit was in reducing fees in those areas to kind of normalize them. We made -- we are essentially then reducing the amount of revenue that would be collected in those service areas to pay for the infrastructure that is needed to serve those developments. So that has to be balanced with a strategy from the city to say when we are investing other funds, whether those be transportation bonds in the future, that we are offsetting fact that we have reduced the collection rate and revenue in these service areas.

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It's definitely -- you can see multiple sides of that argument, but we thought that was a more straightforward process for the development community. It will be a lot simpler to understand exactly. They will know those numbers off the top of their head what the collection rate is going to be no matter where they are in the city. So the development that's occurring on westside of Austin is not going to have any sort of incentive or disincentive when it comes to a fee, an impact fee for that development to occur. It would be -- you will have the same fee wherever you are. >> Flannigan: It's a tough spot to say if the fee is high is that incredible or if the fee is low is that inequitable? It's not clear to me which thing is. I struggle, all of us have, I think all of us in the meeting now are primarily outside the loop or have significant areas outside

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this loop that are very different and my district being entirely outside that loop, I think maybe mayor pro tem, you and I are the only ones that have reality in our council districts. There's a very different reality by the lakeline station than there is in four points. And I'm sure that disparity exists in other corners of the city. So I really liked the different fees per zone because I thought it spoke better to the differences and didn't paint with such a broad brush inside and outside. Especially when I've heard the council talk about wanting to get away from that binary, we talked about that during the ldc that the loop -- that's not as much of a thing for us anymore. So it might be fine to move forward with this way because I understand your point about simplicity, although I don't think the fee structure is the complex

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part. There are other parts of this that are complex that add -- and complexity being added. And I would probably prefer tweaking and -- tweaking the overall reductions versus the reductions for outcomes. Maybe the maximum is not cut in half in 35. Maybe it's cut -- maybe it's 25% of the maximum of 50%, but you get deeper reductions, like just tweaking those numbers. And that might still be something better done five years from now if the focus of what we're deciding now with this one year grace period and three years if you have a tie, if the focus of that is let's get the structure in place, let's get comfortable in how this works. Five years from now we can think about moving the dials. I think I'm talking myself out of making changes. [Laughter]. Those are my comments. This is very dense, good

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work and taken a long time to get here. Councilmember alter? >> Alter: So again, I'm still digesting it and I don't know what if any levers I would want changed. Your comments make me think that we should be a bit slow in doing that if we're making changes on the dials to make sure that we're really digesting what those mean. It has been a multi-year process which I appreciate and the transportation department was very deliberate in the asmp and there was a lot of feedback and other kinds of things. I just think that I'm not saying can't make changes, but if you make changes I think we should make sure that we take the time to get that give and take to make sure that we understand what those changes might mean and the trade-offs and that's actually true of my changes as anyone else's changes. I think it's been a good process and I want to make sure that we keep it that

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way through the end. One question I did have was for the mobility reductions and the staff recommendations. It seems to me that the tdm measures gets a little bit at the transit issue that councilmember Flannigan was raising, but you didn't indicate what those reductions might be. And how those are factored. Can you speak to those? >> Yeah. So that was really where the planning commission was going in saying the initial recommendation of having up to a 40% reduction for transportation demand management measures, the feedback we got was how are we going to know whether or not we qualify for those 40%. Where is the transparency in understanding that and so planning commission says, we think the most significant refers are in proximity to transit and parking and we really want to pull those things out and make them very obvious in the ordinance that you wouldn't have to do a transportation study to be able to figure that out.

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So we recognize that. We just want to make sure that those numbers are matching what we're going to use for the transportation criteria manual so that those two things speak together so that a development is having to do a tie is not having two sets of assumptions going on at the same time. And that these programs are going to work together well. So when it says tdm measures on the slide, we are thinking of those transit proximity and parking and parking not just being reduced parking, but other parking strategies, paid parking, unbundling parking, things like that that aren't just relative to the parking requirement of that specific zoning category that we're looking at all the parking measures. That will be explicitly put into the ordinance when we put it out. Yeah.

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>> Alter: So I would love to know -- I think it's good to focus in certain elements of tdm and say they're the most relevant. Do you have a sense of what kind of reduction? >> Yes. And -- >> Alter: Because we have up to 20% and then we have stuff at 100%. And so I'm comfortable with some reduction for tdm, but maybe not 100%. So I would like to understand better. >> And Jake with our consultant on the project is on and he's been working closely with the criteria transportation manual team. So Jake, if you want to -- I think internal capture we said was 20% and I think depending on the context you're in you would have different caps that you could achieve on transportation demand management. We understand downtown is going to be a much different context for how much tdm is going to make a difference in trip generation than it

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is in a more suburban environment. So do you want to add anything to that? >> >> I'll add in a little bit for this. As it relates to the street impact fee program specifically, there's three components that are currently in the works in the TCM that correlate [indiscernible] And that's going to be [indiscernible], transit proximity and parking. So that will vary based on the service areas you're in. And so starting with the most -- highest production you could get is downtown and there is also in the slides the discussion about the university neighborhood overlay districts also being a part of that. So those two areas could receive up to a 20% reduction for all three of those categories. And once you move out into the inner loop just because of that or as I think about a kind of donut area, for the service areas immediately adjacent inside the loop, it would be reduced by half so it would

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be up to 30% for those three or 10% for each category. And then further when you get further out from there, it comes down to again to be cut in half from that, so up to 15% or five percent for each. So basically diminishing ability to get reductions for tdm for parking as you move further out. Did I capture that appropriately? >> Yes, thank you. >> Alter: And when will we see this level of detail? >> Councilmember, we're anticipating doing council briefings prior to the work session and public hearings. So at the end of this month or early next month. But the ordinance will be posted on October 30th and we'll have that detail in there. The criteria manual may actually be published before then. They're looking to do a public process to get feedback on that tdm manual starting this month. So those will be out at the

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same time. >> Alter: Thank you. Appreciate it. >> Flannigan: Councilmember Ellis. >> Ellis: While on the discussion of parking, there were a couple of times that accessory dwelling units were mentioned in the slides and one of them had a rate for inside the loop or outside the loop and the other was 100% reduction if you're not adding parking. So is the parking really what triggers that be assessed or not any other considerations in there that maybe weren't in the slide? >> Yeah. So the intent was that behind that -- what we were determining infill unit reduction, the accessory dwelling units, as long as they weren't adding additional parking, would not pay a fee. The planning commission, and it was really accessory dwelling units, was within the up to three, they were trying capture from a single-family home to a

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duplex, as long as you weren't adding additional parking spaces to that site, that you would not incur a fee knowing that the fee already would have only been the difference between the impact of the duplex and the existing use. So you're subtracting one from the other so it was already going to be incremental, but the planning commission said, well, we'd like to be able to allow for accessory dwelling units to be added with one parking space and still be eligible for that 100% reduction. And so that was slightly different from what staff had proposed to them so that was the recommendation back to us. We didn't feel like that necessarily was as consistent with policy but we're thinking going to the trip increase method can resolve that issue as long as you're not increasing

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trips over a certain threshold and that would include adding that parking space for the Adu and address the planning commission feedback, but also make sure that we're kind of capping these changes that are receiving these significant exemptions. >> Ellis: That's helpful, thanks. >> Flannigan: Any other

questions? Well, thanks, staff. Really long and arduous work on this. I think we've said glad to see this coming to the end before so I'm not going to say that now. But fingers crossed that we can move this across the finish line. >> Yep, thank you all. >> Flannigan: Thanks for your presentation today. >> Flannigan: Colleagues, we have just one other item to discuss and we'll bring in the chair of the urban transportation commission so Mario, if you're listening I'm about to bring you in. Let me swap some folks out.

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Mario, we can hear you. Is your camera coming on? >> There it goes. >> Flannigan: Thank you, chair, for joining us today. We have just maybe 10 minutes tops if you would like. But I know councilmember kitchen who normally chairs this committee and I both wanted to start trying to bring in our commissioners around the work the commissions are doing to make sure we're aligned so we've carved so some time here for you to brief this committee on what your commission has been up to. >> Okay. Well, thank y'all for having me. It's -- I'm happy to come talk about what we've been up to. There are two items I'd like to discuss that we went over in the last commission meeting, which is September. The first one you may be familiar with is that we passed a recommendation that healthy streets be made a permanent program, so this was a unanimous recommendation and I don't

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know if you've read it, but I think there's a couple of key elements that I would like to convey that sort of summarize our discussion. One of the key elements is that the healthy streets are a benefit whether there's a pandemic or not. So early pandemic were trying to figure out how to get outside and quickly allow people to be out in the world or not, in their homes and slow streets, healthy streets came up and we moved super quickly. It is -- in my opinion and in the view of the survey online, three out of four people support it. While it's true that not every street id'd is not a healthy street and be a success, one of the things that came up in the commission, and I would like to convey, is that whether there's a pandemic or not, what it showed is there would be public space used for healthy activities that

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is not car 17 tick, even if that space now is seen as carcentric. There may be some people that disagree with that, but one of the things is the city has an opinion and it's enacted into app asmp, it's encontacted into the healthy street pilot and in many ways and it's okay that some people don't agree with that opinion. There are some people that say streets are for cars and other people who say public spaces are for people. We think that healthy streets are a beautiful example of where you can say public space can be for people even if it used to be primarily for cars. So that was a pretty important discussion

that we had. Before we go on to the next one, is there any sort of comment or question about that discussion? >> Flannigan: I think Mario, why don't you -- I think, councilmember Ellis, I know healthy streets was your initiative if you want to add anything. >> Ellis: It certainly was. It's about great to see -- it's great to see so much public support. Thank you for your commission and the atd staff

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work that's gone into it. It's a great tool in the toolbox even though some are winding down and others I'm getting flooded with please keep my healthy street. I love it. It's really good to hear. >> Yeah. I'll say as a person who uses the healthy streets on almost a daily basis the proof is in the pudding. The people are there and the people who drive on the streets have had to adjust a little and that's probably attentive and appreciated of the so a tenth of a percent of the drivers have something to deal with and more people get to walk. That seems like a pretty good benefit. I would just leave with this one question. What does the city gain by removing the healthy streets versus what does it gain by keeping the healthy streets? And that's why we were able to unanimously support that resolution. >> I appreciate that. >> Thanks. >> Flannigan: Mario, before you move on, I will say for my part I really like the idea of piloting different ideas with temporary installations, because it's very easy to get stuck in a

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public debate. Until you actually see the thing done and can understand how little disruption it really caused to the thing you think you care about or how much benefit it provided to the thing you think you care about, then, you know, you find yourself kind of spinning your wheels in debate. So I'm glad to see both that it worked in a lot of places and maybe in a couple of places it didn't work so great, because it just shows the value of rapid prototyping and using temporary infrastructure to do so. We can expand this into other areas, not just for health areas but you can do changes in lanes and see how folks respond. It could be really valuable. >> Thank you for that. That's a good reminder. Commissioner Susan somers pointed out, because the city already has this opinion that we need to move people instead of cars, putting the barrels and

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trying to find the blocks, that's a thing worth trying. It may not work everywhere but it's easy to try. It's very low cost and we were hoping that people will keep trying and get through the batches of streets and see what works and what doesn't and make it permanent. The other item we talked about was the climate plan. I think there were a couple of key questions. We're going to have a full recommendation in our commission meeting, which is in a few days, actually. But what we mostly talked about is there seems to be an awful lot of reliance on electric cars and cars still provide a lot of pollution, even if

they're electric cars. Just the way cars work, it does provide pollution. It's better to have an electric car than a diesel or gasoline car, but it's not as good as some of the other options, which

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we hope the climate plan will look at, including things like e-bikes and low-emission vehicles and potentially tiny vehicles. You can imagine a vision where low-speed streets account for low-emission vehicle or electric bikes in a way that really becomes a thoroughfare. As a former commuter in the shoal creek bike lane from south Austin to 183, 13 miles on protected bike lanes, more or less, it was awesome. That's a busy one. So we would like to see that the climate plan have a little less dependence on electric vehicles. It's one piece among many, but there's a lot riding on really multiply electric vehicles integration into our system, which is a little bit tricky. There's a lot of reasons why that may or may not happen.

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There's two other core elements. That one we were talking about, and there's not an enforcement mechanism. This came up with several commissioners and it just sort of came out from staff that, yes, this plan is aspirational. It does not have the teeth of a budget or a staff or even an ordinance like the asmp that has metrics that say this is what you get from meeting this goal, this is what you don't. That was a little worrisome because best intentions can get swallowed by others that have teeth or an ordinance behind it. That's kind of the summary there. >> Flannigan: I think there's a couple of ways to address that. One, I love that you guys are digging into the details on that. It's always tough and I don't know if my colleagues that I have seen the same thing in the plans that have come out, they don't really do a job of prioritization, it's more of a list of options. You know, as you kind of point out, the devil's in the details later. Once you get the big plan, the part that I don't think we as a

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city do a good job at is working through the implementation and keeping our eyes on the prize there. And being able to break -- get the big plan done, you break that up into parts that utc can stay focused on, the mobility committee. Council member Ellis chairs the water committee. There's things that I think could be chunks that then get further attention. Council member alter. >> Alter: I didn't mean to interrupt you. >> Flannigan: No, go ahead. >> Alter: I was just going to say that I'm working on some stuff that would do the implementation part of that plan that would set that in motion. I think it has, you know, the value of the plan is in setting the goals but, you know, there are specifics within it that we still have more work to do to figure out exactly how to go about it. And I think when we're talking about climate and we're combining climate and equity, just as with the asmp where we

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have 100 plus strategies, there are a lot of tools that you need to have in your tool kit and, you know, no one of them is expendable, per se. And, you know, and the beauty of the way this is set up is there are different actors responsible for different pieces and you can kind of delegate some of that out. But I'm definitely pushing to make sure that we set that next step for the implementation as we've done with a number of other ones in our plans as the next step. >> If I could add on one piece, one of the reasons why we talked about that at length is there's an engagement process -- it's a little bit of a double edged sword to have an engagement process, but people put in that effort and they don't see how it happens. So it runs the risk of people being accused of I put in this time, we tried to do our good civic deed and now it sits in

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the air and we don't know how to make it real. We were concerned that there's a lot of good things in that plan but when you come back to people years from now and say help us again and they say I spent a year and I don't know where it is, that's a concern. In addition to just, you know, actually seeing the results of it. Just as an engagement process. >> Flannigan: It's a long-standing challenge for our community. >> Yes. >> Flannigan: Any other comments? Ms. Champion, colleagues? Well, Mario, thank you for joining us today. I think this is a good process for us to continue to follow. Council member Ellis, did you have something to add? >> Ellis: This is not for our commissioner here, but before we sign off, we have a new staff liaison and I wanted to thank Emily Smith for her service. And welcome Chloe and Casey, our new contacts. So I think that's good. >> Flannigan: Thank you. Welcome to the thunderdome. [Laughter] Mario, thanks for spending time with us today.

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I'm going to kick you out of the meeting now. Bye bye. Colleagues, that's all we we adjourn? Council member alter? >> Alter: Debrief after the election with the propositions and next steps, maybe. >> Flannigan: I think that's a great idea. Mayor pro tem. >> Mayor Pro Tem: I don't know where council member Ellis is on what to do about the extending permanent. I'm sure you're getting more e-mails. I honestly don't know if there's any in district 2 and I think my office reached out, and I don't remember what the follow-up was. But I would just be maybe on a future agenda item -- because I think I've been in neighborhoods where they are and I thought they were great. And one thing I brought up in

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the past is, Yo know, in other countries they paint the street a different color and it just becomes a very cultural thing, you know when you're on a red cobblestone you're only supposed to go 20 miles per hour. And so I love the idea of creating that culture here. I talked about it before with speed limit signs. I mean, even in Washington state when I was in law school there, there's such a different respect for pedestrians, it's amazing. It feels like you are in a different country because they actually stop for pedestrians there. I remember the first time it happened I was like, why is that car stopping? [Laughter] I was about to cross the road and the culture there is very pedestrian friendly. So I would love to bring that here to Texas, to Austin especially. I don't know. Maybe an item about staff recommendations on how we start a program that kind of combines the great streets, the results

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of that really great pilot program. And we're doing so much great work about changing speed -- doing speed management here in Austin. I think it would be nice to continue that conversation somehow. >> I would love to see that, and we've also had conversations with transportation staff about lessons learned with healthy streets and speed mitigation. And so that's kind of a conversation that is ongoing and I would love for us to be able to do that publicly and so it's not just my office, it's all of us talking about it together. >> Flannigan: I think it sounds like a good idea for November. All right, colleagues. If that's all we have, that is the end of our agenda. It is 2:24 P.M. As promised, we ended before 2:30. This meeting is now adjourned. Thanks, everybody.