RESOLUTION NO.

WHEREAS, the City of Austin has encouraged transit-oriented development (TOD) since 2005, to create attractive, walkable, and sustainable development patterns around high-capacity transit that maximizes Capital Metro's system ridership and offers Austin residents abundant housing choices and convenient access to jobs, services, and diverse amenities; and

WHEREAS, the City of Austin's Transit Oriented Development (TOD) Ordinance No. 20050519-008 (the "TOD Ordinance") established a two-phase process for identifying the location, boundaries, and implementation of a TOD in City Code (the "TOD Process"). Phase I identifies TOD district locations and boundaries and applies as an overlay interim code regulations affecting issues such as land use, parking, and building setbacks to the properties within the TOD district boundaries. Phase 2 develops a Station Area and Regulating Plan through the Neighborhood Planning Process and replaces the interim regulations with land use regulations specific to the properties within the TOD boundaries. The TOD Ordinance was codified in the Land Development Code, Chapter 25-2, Subchapter C, Article 3, Division 10 and Appendix D. . Participation in the preparation of Station Area and Regulating Plans by neighborhood plan contact teams, neighborhood organizations, business owners, property owners, and other affected persons is specified in Code section 25-2-766.21; and

WHEREAS, the TOD Ordinance established districts around selected stops along the Capital Metro MetroRail and Park & Ride locations, linking Capital Metro's MetroRapid Bus Transit. These locations are as follows:

Original TOD Districts established in 2005:

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- The Northwest Park & Ride
- North IH-35 Park & Ride
- Lamar Blvd./Justin Lane
- MLK Jr. Blvd
- Plaza Saltillo
- The Convention Center

Additional TOD Districts added by amendments in 2006 (Boundaries TBD):

- Oak Hill (Ordinance No. 20060309-057)
- South IH-35 Park & Ride (Ordinance No. 20061005-052)
- Highland Mall (Ordinance No. 20061005-052); and

WHEREAS, to date, three of the TODs have gone through both Phase I and Phase II of the TOD Process and have adopted Station Area Plans and accompanying Regulating Plans. These TODs include:

- Plaza Saltillo TOD
- MLK TOD
- Lamar/Justin TOD; and

WHEREAS, City policies, processes, and code sections related to TOD may need to be updated to accommodate Project Connect investments, the recommendations from the studies, and reflect population growth to meet housing demands and maintain an accessible housing market; and

WHEREAS, the 2012 Imagine Austin Comprehensive Plan envisions a compact and connected city that encapsulates household affordability, environmental protection, and complete communities, with easier, greener,

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healthier transportation options linking residents to jobs, arts and culture, parks, schools, health care, shopping, and other destinations; and

WHEREAS, the 2017 Austin Strategic Housing Blueprint established a goal of building 135,000 new housing units over a ten-year period, and recommends allowing affordable options in all parts of town as well as helping Austinites reduce household costs by encouraging housing developments that connect with diverse transportation options; and

WHEREAS, the 2019 Austin Strategic Mobility Plan sets a goal to have 50 percent of commuters utilize modes other than single-occupant vehicles by 2039, including 25 percent of commuters taking transit, biking, or walking to work; and

WHEREAS, transportation in the form of cars, buses, and trucks accounts for more than a third of the region's carbon footprint, and the 2014 Austin Community Climate Action Plan calls for the city to reach net-zero community-wide greenhouse gas emissions by 2050; and

WHEREAS, encouraging development around Austin's transit network promotes safer, more environmentally sustainable transportation options that reduce household costs associated with car ownership; and

WHEREAS, a study commissioned by the US Department of Transportation determined that by 2025, 14.6 million households will demand homes within walking distance to public transit and rail systems; and

WHEREAS, the City's currently adopted station area plans for TOD districts exist along the commuter rail line; and

WHEREAS, in 2020, Austin voters approved the initial investment in Project Connect, a citywide high-capacity transit plan that includes two new light rail lines (Orange and Blue Lines), a new commuter rail line (Green Line),

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expanded regional rail (Red Line), four new MetroRapid routes (Gold Line, Expo Center, Pleasant Valley, Burnet/Oak Hill/Menchaca), three new MetroExpress regional routes (Four Points, Oak Hill, South MoPac), the full electrification of Capital Metro's fleet, and a historic $300,000,000 investment in financing tools and other anti-displacement strategies related to the implementation of Project Connect; and the acquisition of real property related to the Project Connect anti-displacement strategies ; and

WHEREAS, in 2018, Council approved Resolution No. 20180308-010, which directed the creation of a "right to return / right to stay" policy to grant prioritization for affordable housing and other resources to households with generational ties to Austin; and

WHEREAS, through Project Connect, certain corridors will have bus service frequencies and ridership comparable to rail lines in many cities; and

WHEREAS, a 2010 study published by the University of California Transportation Center, determined that frequent all day bus service requires approximately 17 residents and jobs per gross acre, and light-rail systems need 56 residents and jobs per gross acre to achieve and sustain the high ridership and productivity needed for a cost effective transit system; and

WHEREAS, Capital Metro was awarded a $600,000 grant from the Federal Transit Administration to complete TOD study along the Green Line between Austin and Manor in 2018, and the city has provided coordination and support to that effort which resulted in a Green Line TOD Study in 2020; and

WHEREAS, Capital Metro's Green Line TOD Study was accompanied by a review of existing regulations to determine if they support and advance the goals of the Green Line TOD Study and the review identified opportunities to improve the

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production of meaningful, equitable, transit-oriented development and anti-displacement strategies; and

WHEREAS Capital Metro was awarded a $900,000 grant from the Federal Transit Administration (FTA) to complete an Equitable Transit Oriented Development (eTOD) study along the entire Blue Line and the northern segment of the Orange Line ~~portions of the Project Connect Orange and Blue Lines~~ ("eTOD Study") in order to support transit-oriented development and anti-displacement efforts for Project Connect; and

WHEREAS, CapMetro intends to apply for additional grant opportunities from the Federal Transit Administration (FTA) to complete Equitable Transit Oriented Development (eTOD) studies for the southern section of the Orange Line, and potentially other sections of Project Connect rail, commuter, and MetroRapid corridors; and

WHEREAS, the current and potential future eTOD studies will yield data- and community-informed, context-sensitive policy and land-use recommendations, and will be used by Capital Metro to update the agency's TOD Tool Kit used for both rail and bus services; and

WHEREAS, the City is a key participating agency and partner, supporting the Green Line TOD Study and the eTOD Study; and

WHEREAS, the City policies processes, and code sections related to TOD may be further improved to promote affordability in communities for both residents and small businesses; and

WHEREAS, equitable transportation practices integrate transit into walkable, accessible, livable, and affordable land use practices to enhance healthy living within low-income communities and communities of color; and

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WHEREAS, Capital Metro's Project Connect presents the opportunity to create thoughtful, equitable transit-oriented development; and

WHEREAS, eTOD is development that enables all people regardless of income, race, ethnicity, age, gender, immigration status or ability to experience the benefits of dense, mixed-use, pedestrian-oriented development near transit hubs; and

WHEREAS, eTOD elevates and prioritizes investments and policies that close socioeconomic gaps; and

WHEREAS, when centered on racial inclusion and community wealth building, eTOD can be a driver of positive transformation for more vibrant, prosperous, and resilient neighborhoods connected to opportunities throughout the city; **NOW, THEREFORE,**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

The City Council directs the City Manager to contribute actively to the ongoing studies, in partnership with Capital Metro, to help ensure the study outcomes serve as a guide for revising the City's existing TOD process and station area plans, as well as providing recommendations to initiate relevant land use amendments.

BE IT FURTHER RESOLVED:

The results of the studies and additional analysis shall inform the creation of a citywide eTOD Policy Plan to update the City's existing ordinances and processes, which shall be presented to Council for consideration and adoption. The eTOD Policy Plan should be an action-oriented policy document, providing options for reconciling and updating the City's various TOD-related code, policies, action items, and plans. The eTOD Policy Plan shall serve to both measure the

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success of the City's policies to encourage development near transit corridors and to explore opportunities to further support transit, affordable housing, and equitable development through transit-oriented development.

~~**BE IT FURTHER RESOLVED:**~~

~~The eTOD Policy Plan should provide recommendations on how to achieve the following goals:~~

~~a. Identify methods to address potential displacement of residents, small businesses, cultural institutions, and community organizations from transit-induced pressures, advance transit opportunities to existing communities, and ensure that housing near transit remains available to as many people as possible;~~

~~b. Encourage the creation of diverse housing options near transit that is accessible at every income level, accommodates all ages, and prioritizes affordable housing;~~

~~Incentivize housing options for families of many sizes and various income levels around station areas and high-capacity transit, provides social and economic opportunity for current and future residents, and increases access to employment, health and educational centers;~~

~~c. Provide entitlements that increase housing capacity and maximize affordable housing opportunities to further the Austin Strategic Housing Blueprint Goals;~~

~~d. Explore additional opportunities for funding affordable housing such as tax increment financing;~~

~~e. Encourage and incentivize the development of flexible, affordable commercial space to ensure local businesses and nonprofits can remain in their communities;~~

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f. Promote sustainable economic activity that supports the immediate area and the city as a whole;

g. Promote equitable planning efforts, centering racial and economic equity, in all aspects of the policy, including surveying opportunities for future equity assessments;

h. Provide opportunities for enacting right to stay and right to return policies;

i. Recognize that all TODs have their own circumstances and are not the same; each TOD is located within its own unique context and serves a specific purpose in the larger context;

j. Explore the possibility of creating different development typologies that respond to local market and community conditions;

k. Disincentivize the use of single-occupancy vehicles through travel demand management and responsible land use practices that support the multimodal transportation context, such as unbundled parking, eliminating parking requirements, and/or establishing parking maximums;

l. Support future expansion plans of the existing street network and Project Connect while providing enhanced walkable connections to and within surrounding neighborhoods;

m. Create compact development with sufficient density to support transit ridership located within walking distance of transit stops;

n. Encourage active and livable places that serve our daily needs and provide people with a sense of belonging and ownership within their community;

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o. Seek to incorporate retail into development, if viable at a particular location, ideally drawing customers from within the TOD and from major streets;

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q. Strive to make TODs realistic yet economically viable and valuable from a diversity of perspectives (city, transit agency, developer, resident, employer);

r. Identify methods to support Project Connect investments through development;

s. Align policies with the Project Connect equity, anti-displacement, and Community Advisory Committee processes and recommendations, including the process for developing neighborhood level strategies that will guide anti-displacement funding as required by the Contract with the Voters (Resolution No. 20200807-003);

t. Provide a process to work with Capital Metro during land acquisition to consider how potential excess or surplus property after construction may be used for eTODs, as well as the dedication of proceeds from the disposition of identified excess right-of-way to provide affordable housing;

u. Provide recommendations on potential amendments to streamline and simplify City Code to incentivize eTOD projects;

v. Facilitates effective coordination of City plans and programs between Capital Metro, City departments, and community stakeholders, including

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~~complying with the Contract with the Voters (Resolution No. 20200807-003); and~~

~~w. Additional measures that may further the objectives of this resolution.~~

BE IT FURTHER RESOLVED:

The City Manager is directed to participate in and support the eTOD Study's community engagement efforts, and create additional opportunities for citywide community engagement, as necessary and in partnership with Capital Metro, including a sufficient public comment period, to ensure impacted people and stakeholder groups are included and further inform the study recommendations and eventual eTOD Policy Plan.

BE IT FURTHER RESOLVED:

The City Manager shall develop and publish the eTOD Policy Plan within 14 months of the passage of this resolution, with an update on progress and preliminary recommendations for early adoption presented to Council at 7 months.

BE IT FURTHER RESOLVED:

The City Manager is directed to bring forward an FY 2022 baseline budget that includes resources necessary to support both the city's coordination with the ongoing study and the development of the eTOD Policy Plan, and relevant land use planning and community engagement initiatives. This may include hiring additional staff, a consultant to assist in the development of the eTOD Policy Plan, a consultant to assist with community engagement, or other elements of this resolution.

ADOPTED: _____, 2021 **ATTEST:_____**
Jannette S. Goodall

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