

KITCHEN AMENDMENTS

Item 29, May 20th Agenda

(Note: revisions are to the posted Item, which is v4 from the May 6th agenda)

Amendment 1 – Line 139-140:

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. [in the eTOD Study area]. [or in areas designated as TODs]

***Rationale for Amendment 1:** The amendment clarifies “where” land use amendments would be relevant given that the CapMetro studies are for specified geographic areas. The CapMetro studies are specific to a geographic area. That could be relevant to other TODs, depending on the context for other TODs, but would not be relevant to all areas in the city.*

Amendment 2 – Line 148:

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 success of the City’s policies to encourage development ~~near transit corridors~~ [along Project

Connect light rail, commuter, and MetroRapid corridors] [in areas designated as TODs] and to explore opportunities to further support transit, affordable housing, and equitable development through transit-oriented development.

Rationale for Amendment 2: *The amendment clarifies “where” the eTOD Policy Plan can measure success of policies to encourage development. “Near transit corridors” is too broad because it appears to refer to all bus lines, even those along neighborhood streets where a TOD would not be appropriate. The Policy is about TODs, and so should be clarified either to Project Connect corridors or to actual TOD areas.*

Amendment 3 – Line 227:

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. Community engagement shall include including a sufficient public comment period and, where applicable, neighborhood level planning processes, as required by the Contract with the Voters in Resolution No 20200807-003, to ensure impacted people and stakeholder groups are included. Community engagement results shall be shared to and further inform the study recommendations and ~~eventual proposed~~ eTOD Policy Plan, areas proposed for TOD designation by Council, and Station Area and Regulating Plan processes.

Rationale for Amendment 3: *The amendment clarifies and more specifically states that the community engagement should include, for those locations where it applies, the Contract with the Voters planning processes related to the \$300*

million anti-displacement funds. The eTOD Study Area will likely include some areas that are identified as at risk for gentrification, though those areas have not yet been specified. The neighborhood level planning process required by the Contract with the Voters must be used in those areas for housing related strategies.

Also the amendment clarifies that the community engagement results will also inform areas that may be proposed for TODs in the future and the Station Area and Regulating Plan processes in the existing code (which currently require community engagement).

Amendment 4 – Line 237:

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, including initiation of station area and regulating planning processes for the highest priority areas the Council designates as TODs, and community engagement processes. This may include hiring additional staff, a consultant to assist in the development of the proposed eTOD Policy Plan, a consultant to assist with community engagement, or other elements of this resolution.

Rationale for Amendment 4: *The amendment adds funding to initiate the existing station area and regulating plan processes for priority TOD areas. Land use changes identified as desirable through planning processes that include community engagement cannot occur without either LDC amendments or an overlay / zoning change process. If the city waits until after the 14 month process for developing the eTOD Policy to begin the planning processes for specific TODs,*

while development continues to occur in high priority areas, the city will have lost about two years to impact land use in TOD areas.

Amendment 5 -New addition after Line 244:

BE IT FURTHER RESOLVED:

The City Manager shall bring forward for Council consideration during the FY 2022 budget adoption process the necessary action to initiate the station area and regulating planning processes and designation as a TOD for the highest priority areas along the Project Connect light rail, commuter, and MetroRapid corridors. In proposing these areas, the City Manager shall consider the Project Connect implementation schedule and prioritize areas such that station area and regulating plan processes can be completed timely to align with Project Connect implementation processes.

Rationale for Amendment 5: *This amendment ensures that land use planning and zoning changes (if needed) that relate to high priority Project Connect corridors are not too late to make a difference in housing in particular. The current code establishes station area and regulating plans as the mechanism to impact land use for TODs. Even if that approach is revised in the future – while working through any such revisions, the opportunity to impact ongoing growth in these areas will be lost. We should start the existing processes now in high priority areas – and it appears right now that not all those areas are currently part of CapMetro’s eTOD planning process.*

Amendment 6 – Line 151 to 225:

[Note: All this was struck in version 4, the red underlined language indicates amendments to the original language that has now been struck]

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;
- c. 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. Encourage a variety of housing choices near transit facilities to accommodate a wide range of ages, incomes, and access accommodations needed for people with disabilities;
- d. Provide entitlements that increase housing capacity and maximize affordable housing opportunities to further the Austin Strategic Housing Blueprint Goals;
- e. Explore additional opportunities for funding affordable housing such as tax increment financing;
- f. Encourage and incentivize the development of flexible, affordable commercial space to ensure local businesses, nonprofits, and creative organizations can remain in their communities;
- g. Promote sustainable economic activity that supports the immediate area and the city as a whole;

- h. Promote equitable planning efforts, centering racial and economic equity, in all aspects of the policy, including surveying opportunities for future equity assessments;
- i. Provide opportunities for enacting right to stay and right to return policies;
- j. Recognize that all TODs have their own circumstances and are not the same; each development is located within its own unique context and serves a specific purpose in the larger context. Each TOD's specific development typologies are currently based on Station Area and Regulating Plans developed through the Code's planning processes;
- k. Explore the possibility of creating different development typologies that respond to local market and community conditions;
- l. 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. Promote development strategies that focus on accommodating pedestrians, including people with disabilities, without excluding people traveling by vehicle. Consider creative parking strategies to allow the accommodation of vehicles without dividing a site such that parking is the dominating design factor;
- m. Support future expansion plans of the existing street network and Project Connect while providing enhanced walkable connections to and within surrounding neighborhoods;
- n. Create compact development with sufficient density to support transit ridership located within walking distance of transit stops;

- o. Encourage active and livable places that serve our daily needs and provide people with a sense of belonging and ownership within their community;
- p. Seek to incorporate retail into development, if viable at a particular location, ideally drawing customers from within the TOD and from major streets;
- 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. Facilitate effective coordination of City plans and programs between Capital Metro, City departments, and community stakeholders, including complying with the Contract with the Voters (Resolution No. 20200807-003);
- w. Additional strategies for Council consideration that may further the objectives of this resolution in areas the Council designates as TODs and develops station-area and regulating plans;

- x. Ensure compatibility and consider connectivity with surrounding neighborhoods;
- y. Include engaging, high quality public spaces, such as small parks or plazas, as organizing features and gathering places for the neighborhood; and
- z. Prioritize multifunctional designs on publicly owned land to support maximum delivery of community benefits.

Rationale for Amendment 6: *The amendment adds back in the list of policy considerations that were in the original resolution and amends/adds additional policy considerations. The added policy considerations are included in the current policies for TODs, and are appropriate to bring forward. If the desire is to leave all of these out – then our staff will not have policy guidance to help direct their work. It is particularly necessary to address the relationship with Project Connect process in the Contract with the Voters (see item s.)*