

# City Council Work Session Transcript – 6/6/2023

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[9:00:45 AM]

June 6th, 2023. It's 9:00 in the morning. We are meeting at the boards and commissions room of the Austin city hall, which is located at 301 west second street in Austin, Texas. We have a quorum present and the way I thought we would go today is we would start a briefing with a briefing on the draft schedule for the land development code amendments and have any discussion related to that. And the item that is related to it. At that point, we have a couple pulled items and Eid item 45 has been pulled Eid 40, 41 and 78 and that's the order. I'll call those up. We will. We have posted for an executive session and with your permission, I'll use discretion to try to figure out when we might do that. We also, as you know, have a 1:00 time certain where we will have a joint

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meeting with the Austin transit partnership and capital metro board of directors. That meeting at 1:00 will be held as posted for all three parties separately from this posting. But that meeting is posted to meet in the city council chambers. So with that, the first item on the agenda will be a briefing on the draft schedule for land development code amendments and discussion related to it. And the item on the agenda that's related to it. So I'll recognize the manager. Mayor, members of council this item is the result of the work done by the committee. We took their the committee's work and formed it into this memorandum that provides that schedule of Veronica Benigno is going to lead the presentation over development as well as a couple of our planning staff. The only thing I'd say is that just to, I guess, inform the council again that the workload that the planning department is significant and some of the scheduled items you'll see when

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we're going to be able to bring those items back is going to take a little bit longer than we may have initially or may have originally thought to be. And that's simply because we've got we're short staffed and we've got a lot of amendments that have been generated for us to work on the code. So just want to give that as an introductory remarks. Veronica good morning, mayor and council. Veronica Briseno assistant city manager. Just wanted to kick it off and I'm going to turn it over to our planning staff to walk through the presentation today. What you'll see in the presentation is Jesus mentioned is we have been working closely with your offices as well as the housing and planning committee to identify the code amendments that have been we've been directed to do the prioritization of those and what we as staff have gone back and done is really looked at timing, bandwidth of staff and what makes sense in terms of moving forward. They've also made some recommendations on how we can pair up some of the code amendments. So that there is not any duplicated efforts or a more efficient way to work. I have

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Stevie Greathouse who's going to walk us through the brief presentation, Ann. We also have a series of department directors impacted by these amendments here to answer any specific questions. And I'm happy to navigate that conversation when we wrap up the presentation. So without further ado, Stevie. Yeah good morning, mayor. Council. I'm Stevie Greathouse. I'm a division manager within the city's planning department, and I'm going to be joined up here in a little bit with other members of the citywide inter-departmental code cabinet that can answer questions as they come up related to the other departments. I oversee our code amendment, support team, which works closely with the inter-departmental code cabinet that is led by Briseno, and I'm pleased to be able to present an update on the timing of land development code amendments this morning. Okay. I've already covered that. Next slide please. As the members of city council are aware, the city works city work to develop and map a comprehensive revision to our

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outdated land development code was suspended in 2020 based on the outcome of litigation Ann. Since then, the urgency around updating provisions of the code that are no longer meeting our needs has only grown Ann and city council and or planning commission have initiated more than 60 ad hoc amendments to the land development code. Around a third of those amendments have been addressed already. Of those that have not yet been addressed, 12 are moving towards review and adoption in the short term and the remaining amendments are either have either been initiated more recently or are about to be initiated this week or are more complex amendments involving multiple departments that will need to be further developed before review and adoption can be scheduled in addition, many of the outstanding amendments are overlapping in nature or might be able to be better addressed through a

consolidated approach under assistant city manager Briseno leadership staff has recently formed an inter-departmental code cabinet which will help to ensure coordination of code amendments across multiple departments. In particular, we anticipate that the code cabinet will be heavily

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involved in helping oversee development of the more complex amendments. The planning department has also recently established a land development code amendment support team that is tracking all of the active code amendment cases and helping to ensure that individual code amendments proceed smoothly through the code amendment process from inception to adoption at their may 23rd meeting. The housing and planning committee members received a presentation from the code cabinet that provided an overview of the code amendments that are currently in the works and presented information about which amendments would address housing issues as well as the level of complexity of each of the amendments. During that meeting, the housing and planning committee discussed a code amendment prioritization matrix that has been posted for consideration under item number 53 on the upcoming council agenda for the draft code amendment schedule that we are presenting today builds on the discussion that took place at that meeting, as well as a number of additional factors in the backup for today's meeting. You will find a memo from the directors of the planning and housing departments that include several attachments. Attachment

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a provides an overview of the code amendment process attached B provides a draft schedule for all of the active code amendments. Attachment C provides more information about each of the active code amendments and updates the tracking document that was shared with the housing and planning committee on may 23rd. And finally, attachment D includes the memo that was provided to the housing and planning committee by the code cabinet on may 23rd. Next slide, please. The draft schedule provided in attachment B was developed in consultation with code cabinet departments, including planning and housing development services, watershed protection and transportation Ann, and in consultation with additional lead departments including economic development Swint in developing the draft schedule, staff considered the following factors items that are already well underway and identified by the housing and planning committee as potentially being kept on current timeline. The discussion that took place at the housing and planning committee meeting staff and resource availability, both in terms of lead department

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resources and the resources of supporting departments, including the law department and others, as well as dependencies and logical ordering of the amendments. For example, the equitable overlay development would benefit from having the larger change to citywide parking minimums be addressed first. And finally, the potential for grouping and consolidation of related amendments. Next slide, please. The amendments identified for potential consolidation on the draft timeline generally fall into one of two categories either amendments that will be addressed through a broader amendment that has already been or will be initiated, including amendments to parking requirements, regulatory amendments related to site plan light and code amendments that relate to compatibility. The second category is those amendments that staff recommends addressing through a more comprehensive analysis or a more comprehensive amendment, including density bonuses and approach to creating new Zones. Next slide, please. While code

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amendments may vary in complexity and department lead, they all must follow the requirements specified in chapter 25 one, article 11 of the land development code and must meet the notification requirements specified in the code. The code amendment process includes three primary phases initiation of the code amendment, development and engagement of development of specific language and engagement of the community. And then finally, a review and adoption of an ordinance amending the code depending on the complexity of the amendment, the development and engagement phase may vary in length with simple code amendments with few concerned stakeholders taking four months while other highly complex code amendments could take more than 12 months from beginning to end. Next slide, please. Part of the range of timing is because engagement will look different for different code amendments. Simple code amendments may involve no engagement beyond minimum legal notification and required public hearings, while moderately complex code amendments may also include targeted outreach to key stakeholders and highly complex, impactful code amendments such

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as development of the equitable overlay will require robust, iterative engagement prior to code development. Next slide. Attachment a in the memo provided as backup provides an overview of the code amendment process. Code amendments may be initiated by either city council or planning commission. Next slide. Once the code amendment is initiated and a lead department is identified, staff will work through an inter-departmental process to develop the draft code language and code amendment, including the draft ordinance, language analysis and a staff recommendation and will work to engage the community and other stakeholders as needed. And depending on the complexity of the amendment. Next slide. Once the draft amendment has been developed, it will go through a review and adoption process that includes review by the codes and ordinances, joint committee review and public hearing by planning commission and any other commissions that are warranted. Based on the topic of being addressed as well as a public hearing with three readings at city council. Notice

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action is required prior to planning commission and city council hearings and the law department is involved in the review and ordinance preparation. Next slide please. As these slides provide a breakdown of the draft schedule that is presented and next slide, please. Sorry. Thank you . These slides provide a breakdown. You're good. These slides provide a breakdown of the draft schedule that's presented in attachment B and today's backup throughout the draft schedule. You will see items that are likely to improve housing affordability or supply have been marked on the Gantt chart with a house icon. The first part of the schedule presents the timeline for those amendments that the housing and planning committee had indicated should be kept on their current timeline and includes several code amendments that will be considered for adoption. This week. Next slide, please. The second part of the schedule presents a tentative timeline for those active amendments that staff will be taking up next Burt. This part of the schedule includes several areas where we

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are recommending grouping or consolidation of related amendments. In particular, a comprehensive analysis and modification to compatibility. A comprehensive and analysis and potential modification to density bonuses and a comprehensive analysis and potential development of new Zones. As indicated in the memo. This timeline reflects a phasing of amendments based on available resources. However, additional resources would be needed to take on the comprehensive approaches to density bonuses and development of new Zones being recommended. I will also provide the caveat that all of this work is very much a living document that changes as new priorities are identified and that we'll need to change as additional knell impacts to staff resources are felt. Next slide, please. And finally, the final part of the schedule indicates a list of code related studies and analysis currently underway, as well as a list of previously initiated code amendments that we are recommending be addressed through another amendment or

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through a more comprehensive approach and final next slide, please. This schedule, as I mentioned, will continue to be modified as new priority is are identified and new amendments are initiated. But we thought% that it would be useful to share this draft schedule with you and are happy to answer any questions that you may have and members of the code cabinet are here in case there are questions for departments other than planning. So I invite the code cabinet folks that are here to join me at this time. Thank you . Presentation are you going to bring anybody else? I'm just trying to figure out how well that sounds worse than when I sounded like a robot best. It's a non-answer answer. We are complete with

the presentation and opening up to questions. Okay, so that's fine then. Then let's do that. And councilmember harper-madison, I'll call on you first. Thank you, mayor. I appreciate it. I wanted to offer my colleagues and folks in attendance just a little bit of

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context. So as we heard at our first excuse me, most recent housing and planning committee meeting of the year staff is experiencing a perfect storm of vacancies, conflicting direction from previous councils and limited time and resources to enact the many policies that we're that we or planning commission have already initiated at our April committee meeting, we directed staff to present a prioritization of those existing land development and land development code amendments in may so that we could weigh in as a committee and eventually as a full council . At our may committee meeting. We then heard from staff and discussed possible changes to the prioritization document. Vice chair alter helped a lot and our committee navigated that process with the chart and it is now attached to this week's committee report for the full council. Our committee took this action to ensure that staff's limited time and resources are being spent on policy that will have the greatest impact to our housing goals. We also believe

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that by prioritizing, by prioritizing these housing amendments, by impact and council interest, we'll be able to ensure that staff's precious time and resources are spent with very clear direction from this body, with today's timeline memo from staff and feedback and direction, we received from this council this Thursday on our housing and planning committee. Initial recommendations. We plan to next discuss necessary resources and further prioritization at the committee meeting on the 13th of June. I fully recognize and want to acknowledge that this is no small task and that staff is taking on a large task. The committee is taking on a large task and asking all of our colleagues to take on the large task. Very important task of addressing our housing needs. This is a big first step and think the best opportunity we currently have. So thank you staff, for your partnership with the committee over the past three months and thank you for today's briefing. Thank you,

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mayor. Thank you. Can I ask a question? Follow up on that? All all right. I'm having trouble with this mic today, and I'm not going to blame anybody for doing it to me on purpose. So. But want to ask the chair and the vice chair of the committee, from your perspective, when you started the process at the last meeting of trying to figure out for lack of a better term, ranking, so that, as you point out, councilmember, you're you're looking at timing for staff, you're looking at priorities for council knell

biggest bang for the buck, I guess, would be another way of saying, you know what, we want to do to get affordability. When you were contemplating that, were you contemplating that we would then Ann hold on to different land development code changes so that they would be fed into that process before we

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started passing land development code changes while we're waiting on that process to continue to, since I've had the opportunity to speak, I'll defer to you. Vice chair so in our meeting, we the idea was to prioritize what we know and then there was a brief discussion Ann, particularly from councilmember pool, about a couple of the items that she's bringing. I believe in July and how that might fit in. The hope was really to get a good idea of what the landscape is so that we can group things that should be appropriately grouped. And if we know that something is coming in July, that maybe we want them to hold off on until then so that we do get that, that was the idea. So I believe and the what we have told staff is, you know, we have one more thing. On July and that's kind of it for us to feed everything in so they know that's coming. But to try to be

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able to take this volume and start working it through before we just keep piling on, we'll see. And that's part of the reason I asked the way you said that is part of the reason I asked the question, because on the agenda we have for Thursday, we have a number of items and Eid and I'm sure this wasn't the intention, but at least has the appearance of trying to get in before we put together a more comprehensive approach that that not only the approach of the committee, but it corresponds with what staff is now bringing us. And it would get around that organizational structure. Yeah, but that's absolutely what you just said. That's absolutely not the intention. Ann. The intention is that at this all would go through whatever is the coordinated staff plus committee, city review, that's right. Okay. That's Wright think one of the key things she mentioned, you know, that the ad hoc nature

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of how we got here, we're very ad hoc. And I think it's really important that we do look comprehensively and really encourage, you know, the density bonus provision, for instance, the zoning comprehen look so that these pieces actually do start fitting together instead of just, you know, being band-aid on band-aid and so and was it your was it the anticipation of the chair and vice chair of the committee that as these start ad hoc, that they would go first to the committee Katy for being placed out in the queue. So to speak. And of course, I want to say it again because I think it's important Burt, that the queue will ultimately be a combination of what staff is telling us they believe needs to happen in order to make it

work at all, including a number of personnel time, that kind of thing. And the way the committee, as it also reports to the full council

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is ranking things. So was the idea that we would utilize that to make sure we're putting them in the queue in the right place. And as I suggested a minute ago, nothing sticks slides in or gets priority simply because somebody has brought it to the full council as an ifc before it goes through committee. Yeah, I'm happy to defer the chair on that one. I know she has a lot of great ideas on on what we can use the committee for. So I'll keep it brief. I think you really did a good job of articulating what the cadence is that we're trying to establish and think having the opportunity to better utilize our resources really does take some of the pressure off of staff and the resources we have by way of the committees. So I think there was a lot of great intention to thinking through what the cadence is going to be moving forward. I think Thursday is a start and then Ann that, you know, the fact that we're bringing back the prioritization on the 13th meeting, that was intentional on our part. We had originally planned to go ahead and move forward, but as we were

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having our committee meeting and taking the opportunity to listen to everybody's contribution, we recognize that we just weren't quite there being on the same page in terms of being able to prioritize. I've even seen that some of my colleagues have shifted their priorities, so we really wanted to offer the opportunity to give more intentional thought through that part so that it wasn't our original intention to bring it back to the committee. But think we decided as a body that it was necessary to bring it back and give it some more time. And that's a very helpful answer. So what we've got a number of items that are pulled, items for discussion even here at this work session. But what what I hear and I want to make sure I'm hearing it the right way and I'm not miscarried Singh want to characterize it on behalf of the whole council is what I hear is that now with and we've got we'll have questions and we want to discuss what staff has said Eid and with the work of the committee and what the committee's impetus and mission determination was, is that

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nothing that's on the current agenda for this week is intended to get ahead of that process. Instead, everything that's on the agenda and is going to be considered this week ought to be considered Eid by the committee for placing in the queue in the appropriate way. Is that is that the way you see that? Wright I would say that's an appropriate approach. But in addition to that, I'd like to say that, you know, there was some great intention to being able to bring this before the body as a whole. So, you know, our



committee is very useful, but the body, as it's going to have to come to the body at some point. But but but we've all I think I think everybody recognizes that there's a lot of work being done. And a lot of work that's being done in such a way that is, to use the word ad hoc and the committee was trying to address that. Staff is trying to address that and just want to make sure we don't violate. That's probably too strong a

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word, but interfere with the process and mission that the of the committee and the staff are bringing to us to make this work better for us and the citizens. So okay. Thank you. I'm sorry, rey. Yeah, I'm going to go first councilmember Kelly, and I'll come to the mayor pro tem. Thank you very much. And thank you, chair and vice chair of that committee for helping lay that process out for us outside of what we've already discussed. I'm curious from staff to know if there are any specific actions or initiatives that the council can undertake to assist you in reaching your goals as think that will be a continued conversation, particularly with the with the committee, but council as a whole. Resources were mentioned and we are very seriously considering what that what that resource need is. We want to identify that accurately . We know that it's not necessarily an easy fix. We know an interim city manager Garza mentioned on the front end we have a vacancy rate that's quite

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high at the planning department . I'm very proud of our planning director. She's already made some headway in addressing that. Wright but as we bring on new staff, they're not going to necessarily immediately start reviewing code amendments. That's a that's a training need, and that takes a little bit of time on the job. So looking at perhaps hiring a consultant to help, particularly with some of these comprehensive discussions , but really trying to find the right fit for what those resources are so that we can make that ask. Thank you. My next question was in regards to the budget, if there were any budgetary needs that you might need throughout this process that we could address, I know you just mentioned a consultant. Is there anything else that you think right now off the top of your head or is that a broader, longer term conversation? That's a broader conversation. We're in the process of reviewing those unmet needs put forward by the department and the city manager's office, and we'll be taking that into consideration in the city manager's recommended budget. Thank you. I look forward to seeing that. And I know my colleagues probably do as well, especially for us to have that broader picture so that we can help you complete what your goals are. Thank you.

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Thank you, mayor. I appreciate this being distilled down into something visual. Some of us can read up, down, left, right, really, really easily. And some of us like pictures and colors and ways of really understanding what are the codes and amendments that are either almost out the door already because we've been working on them for a while. Easy amendments versus highly technical amendments. That will take a long time. So really appreciate that. And y'all's ability to try to factor in if we have new ideas where exactly in that schedule it might fit. I think that's helpful for us as a dais to be able to see. But something that's also been more on my radar lately is just the general process of getting through codes, ordinances and the planning commission or anything that needs to go through zoning and platting and so I know that that also has to be part of the conversation. I noticed in your matrix you did have here's where council approval is and here's where planning commission is. But we had, I think one along the way that came into it won't fit on codes and ordinances next meeting because they already

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have too much work ahead of them on that agenda. And so that's another layer that I hadn't really thought about in previous years. And so it might be helpful if we keep amending that chart to really understand and what is the process of our boards and commissions in doing that, because I want to make sure that folks who are looking for that public involvement opportunity to come and speak, hopefully in favor, but if there's opposition to making sure that everybody has a chance to speak. So I don't know if that's feasible in future iterations of that schedule. Yeah. And I would just respond from the staff levels that as the person that manages the staff liaisons, the codes and ordinances, they codes and ordinances is scheduled to meet monthly and can handle quite a bit. But it needs to be, you know, staggered in such a way that we don't have six highly controversial, highly complex items falling on a single meeting. So generally, as long as we can stagger it within reason and as long as and they tend to do a pretty good job of meeting quorum, we did have a month last month where they weren't able to and we had to

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cancel the meeting. But generally they have been meeting quorum and have been meeting monthly. So that's just I think that's just a simple sort of schedule Singh to make sure that we aren't scheduling, you know, more than five highly complicated items to all try to hit on the same agenda. Manager yeah, mayor, mayor, mayor, mayor pro tem and councilmember Kelly. I think a couple of comments. One is just like was mentioned a minute ago, the process I have been used to in the past is that the council would establish its brought the goal it wanted to achieve and we returned the staff Luz to figure out what are the things that we needed to do to achieve those objectives. The difference is here is that we've landed on a fix and then we've got to go figure out how to how to work work through that fix, which which complicates the staffing of the legal and the notification process. So it's one that you could help us by visiting with staff early on about your major objectives and then what kind of inclinations you might have that need to get done that would help us get

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through the process much faster? The second thing is we're in the process of doing the development services review. Unless we fix that review this stuff, we can pass the code amendments, but if we don't fix those portions of the code, we're going to be at a logjam with in the inability to process things fast enough so we can get the density and the housing units on the ground. And the final thing I'd say is that as as those things are identified, we may be able to move some things faster as we learn about through the development review process, things that we ought to move to the head of the line that would be more effective with respect to density, we just want to give that flexibility to the staff. I think working through the committee is the is the because some of these things are complex and they're intertwined. So I think if we're given that flexible Katy, it gives the staff that flexibility and fire the point about adding six items that might take a an incredible amount of time just just makes it difficult. It just gums up the process. And so that would be helpful for us as we move forward. I very much appreciate that and I also want to make

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sure I mentioned we know that some of these other boards and commissions will take up these items like the environmental commission, urban transport, Ann they've got a, you know, well vested interest in some of these conversations. I generally enjoy when we do things from kind of a high level, top down, comprehensive approaches. I know that in years past we had all sat down together and figured out where the low hanging fruit was. What are the things we think were mostly in favor of and who can take lead and wants to really get that across the finish line but want us to kind of switch into how can we make the most bang for the time and energy that we're trying to put into housing and planning? Because I know there's a ton of folks that want to get these good things done and want to make sure that we're doing things in a really thorough manner. So, you know, if it takes two years to get through it and then we have a new council and we've got differing opinions and then we're going to do it again, I think that's just kind of a wrinkle we need to iron out and try to try to get us as as far as we can every

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time we move the ball forward. Councilmember Fuentes, thank you. And thank you, colleagues for the conversation. I'm excited that we're having this conversation. I know it's been a long time coming and we all know the need for us to have a comprehensive update to our land development code and Eid because of the, you know, that, you know, went to the courts and since then, we've had the previous council and now this council committed to land use reform and we've been offering tweaks to our land code and now we're at a point and we've been at this critical point for years where we've now had 38

active code amendments in process because we're committed to addressing our housing crisis and we're committed to land use reform. And so the questions I have around this are one for staff, but two, I want to dig into the committee process because and I appreciate wanting to strengthen how we do our work through our committee, but think , given this topic, given the importance of housing and our

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commitment to addressing our housing crisis, I just want to better understand how the committee process is more efficient or facilitates a better outcome with how how we move forward. Eid because we're all here, I think we've all brought forward housing related policies and just knowing that it is a priority of the whole, I just want to make sure that we're allowing for that platform form and that we're advancing at the scale needed. And so for, for staff, the question I had a couple questions I had is with the draft schedule for the active code amendments, how did you how did staff prioritize these these policies? And for example, the we have the Flum amendment filing deadline. You have that potentially coming back to us in September, Shaw, which is great that seems like a easy change. And I know we just passed that policy at our last council meeting last week and then, but we have the child care services part, which was the zoning related to building child care centers. That is coming

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back to us later this year. With October as, as, as a timeframe. The tentative timeframe, we passed the child care rezoning item back in January. And so I'm trying to better understand Eid your, your thought process. Yes. On on those timelines as sure can take a stab on that one. So at the that one is obviously an item that would be assigned primarily primarily to the planning department as lead department. And we have been working through getting our staff up to a place where we can actually staff comp plex code amendments and that one will have some complexity to it. So we are now at that place. So that is why it has its it's on the timeline with part one of sort of handling the items that we can handle with relatively straightforward community engagement and relatively straightforward technical work with the other departments would be addressed this year as part of that part one with a later phase moving forward that would

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be more complicated and involve , in some cases, work that's happening beyond the code. But that one, the prioritization of that one is simply a making sure that we've actually got the staff that are going to be available and have the expertise to do the work. So there is as part of that, oh, go ahead. I was just going to echo what Stevie said about the part one and part two. In that particular situation. That is a good example of a very complex, a change. Propose and staff has taken the time to really work through that

and see what could we prioritize so that we're moving on the priorities first so that we're taking some action as opposed to putting the whole direction on hold until we get the staff or the resources that we need to have that complex review. So they were really trying to take pieces of that and move them forward, even though we can't move the whole piece forward at this time. Wright and get that piece. But

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guess, you know, since we passed it in January, was there not work done between January and now on the issue? Because it seems like it's not really being looked at until pool well, until the summer. Yeah. And our I will just say that our department had a single staff person that was involved in staffing most of our code amendments that left the department and we had several months without even a single staff person. We do now have a team of two that are doing all of the coordination work to kind of move the amendments through, have been shadowing all of the amendments that are moving forward with lead departments or case managers, either elsewhere in our department or throughout the city that are now at a place where they can begin to do the work to pull together the expertise that we do still have kind of scattered across the city in various places, including Singh, our development services department. That's sitting to my right, to actually move that item forward. Eid so that one, I will say, is, we have not had dedicated lead staff assigned to that item

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until now, given the particular expertise that is needed for that and that, and thank you. That's a perfect example of why I believe we need to scale up our capacity and have some of our have interim solutions as we await for our planning director to step up. So we know our planning department has over 30% vacancy rate. We've mentioned, you know, bringing in additional resources. But how are we bringing in those additional resources, those consultants at the scale that is needed for the interim mean knowing we didn't have an expert staff member on staff for months and so, you know, and so what is that process of bringing in the expertise and at what scale? Yes councilmember, as as Veronica mentioned a minute ago, we're we we've given the authorization to get on consultants that would help us to augment staff, other ways to augment the staff. So we've given the green light to get that done. Ann and the fact is, is that it's the issue of workload doesn't get diminished

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. You just have to figure out how to how to get it done. So you but I think that's the schedule. Rey recognizes how even of the additional resources when we can get to those mean but think it's all in process there's nothing that's holding us up with respect to that. I know the new planning director has

made some changes to bring on some additional staff, though. All those things are are working and in place. So we're trying to move as fast as we can to not just answer your question, but other questions that other councilmembers may have about their items and think that we understand this is a priority. Guess is the is the best way to say it. Yeah. And if I could add any additional, you know, resource questions, I'll definitely defer to the or my director who's sitting behind me somewhere because we are definitely doing the work to build that team, to be able to do the work like that is happening and it is partially in place now because we have staffed it with two folks, but also wanted to allow development officer from development services Burt Lloyd to say a few things because he's got more of the institutional memory around that particular our request from council as well and just wanted

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to acknowledge that he's got laryngitis. I'm sorry. Brant oh no. Oh just do cue cards. Remember who it was that called on you. Brant. Brant Lloyd with development officer and I'm not contagious. Have no viruses, but they all say but I just wanted to say kind of broadly speaking, in looking at looking at some key factors that inform priorities that went into the preparation of this spreadsheet and also informed our briefing at the housing and planning committee last week. I think there were, you know, broadly speaking, three criteres that we looked at. And one is, is housing. The land development code is about a lot more than housing. We have, you know, cabinet members that reflect all the different perspectives. We have our deputy environmental officer here who serves on the cabinet, and there are other other officials as well. But housing is the priority right

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now. That we've received from council as being the most significant thing to emphasize. So we looked at what amendments are the most germane to housing, what amendments are going to make the most immediate impact in moving the needle on getting units on the ground, particularly affordable units, but units in general as well. We also looked at simplicity and complex 80, you know, some amendments are a lot more complex than they seem at first blush and so we looked at the degree to which an amendment could be implemented within a reasonable timetable. And, you know, the level of complexity and the challenge that it presents both in a draft perspective but also in an implementation perspective. Some of the amendments are ones that will require organizational changes, shifts in the review process. Yes. And that will very much inform the work that's ongoing. With respect to the development services review process. So we consider that as a factor as well. And then we also looked at what amendments

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are well underway already. So we have amendments that regardless of where they stand on these other criteria, they're they're in process. The train has left the station and they're on their way. So we consider that too. And then I'll just say in closing, before I lose my voice, I'm not supposed to be talking, but this is that the code cabinet process is intended to sort of reflect how things have worked at the best of times in the past. We in the in the best of times, we've had a group of people somewhat informal in most cases that are dedicated to working on code amendments. You know, not entirely. They have other jobs too, but are available to work in our departmentally to make sure that there's a holistic perspective brought to bear on code amendments and also to be a resource for council. Knell when you're considering initiating amendments to help make sure that amendments are going to do what you think they're going to do, they're not going to raise

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issues that are maybe not apparent at first blush and that they can be accommodated reasonably within available resources. And I think there there are a fair number of amendments in the queue that maybe were not given that level of review. And think under interim city manager Garza leadership and Briseno as well. The goal is to do better going forward and I think that's what we're all here for. Thanks and I'm glad Brant said that because I do. The code cabinet was very thoughtfully constructed because the importance of this, we have it reporting into myself as the executive lead. That's the importance we are playing on it. And that is a resource to council as well. So that inter-departmental consideration Ann and view of the code amendments is helpful and something that as you're considering changes and complex amendments, we can provide as a resource to you to help vet it and help think it through. And councilmember one of the other things to just to add to this is we made the organizational changes consciously because we

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thought there needed to be focused attention on planning and planning alone, all those things so that there could be that focused attention, understanding that housing is a component of that, but really planning in the larger sense. And so and I think what you guys have talked about this morning, which is really crucial, the cadence and the pace, if we're able to keep that at a at a at a workload that we can get it done. The staff don't get overwhelmed and don't get wrapped around the axle because we've got so many things coming at them. What it does is it just slows everything down. That's that's how you can help us. In addition to adding resources. But that would be a great help to us so we can pace the work, get it done in a timely way and get it back here for council to have consideration time to vote. And you saw our very simple process of how we approve a code amendment is that yellow deal where it went about a 360 of all the different places we got to touch before we come back to council. It's elaborate and it takes a lot of time. That's right. Thank you, manager. And I think you know, having the land development code cabinet is a great example of your leadership

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and Briseno leadership and understanding the priority of council and moving the organization in alignment. So want to share my gratitude for your leadership on that. And wanted to ask, you know what if we thought about this implementation plan from the lens of if we were to get these, if we wanted to get all of these policies back to council by the end of the year, or what might that look like? You know what, what resources would be needed? And to your point, in a way to not exhaust, overwhelm or burn out our planning department staff, but if we have a goal or a vision to have these policies come back to us in a timely manner, knowing the process. But how could we scale our resources to that effort? Or have you all considered that that you know, or have you have you taken a look at the challenge through the lens of if we know this is a priority for council, we know that we can get additional resources to help us in Ann in

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this effort while we staff up our department. How much resources would we need to achieve it? I think that is a discussion we can have. I think we really needed to have this comprehensive look and review of all the code amendments that were on the on the radar so that we can right size that resource request. But think that's a conversation and a discussion that we can have. Excuse me. I'm also not contagious. But I do think that we have a lot of moving parts. So as we're building the team, as we're bringing on staff, that helps us . It's a moving target, if you will. And so we'll give us a little bit of time to right size that with that resource would be. But it's helpful to hear from council what your priorities are so that we can take that into consideration. Thank you. And my last question on this is our legal capacity. And you know, and I guess this is for our city attorney, you know, knowing that we are shifting our our planning

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resources and department and we're scaling up our resources, part of the process does come towards legal review of our code amendments. And my question is, do we have the legal team needed and necessary sherry so that we don't have a bottleneck within the legal department as these code amendments come forward? We have a great legal team on these, led by Trish link, who's in the office here, and we are continuing to work through all of them. We have a new lawyer just started this this week, so we're trying to make sure we're staffed up. But have you have we looked at this from knowing that we have 38 active code amendments in progress, that we are going through this draft or going through the implementation plan, have you all assessed your department's needs? And, you know, like, are we I just want to make sure that we're thinking through of this process and if we need additional



legal resources, that we're also making space and including that, especially as we come up on budget season. I really

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appreciate that. Council member. You know, we reassess constantly our needs in the department and there's always a need for more people and we have that. You know, we'll have that conversation with the city manager as he proposes the budget. So thank you. And I would like to echo on that. Thank you for the conversation about resources. I know it's been very hard for staff being so short staffed and we have a very committed workforce and people who really come to work for the city of Austin because they believe in the work that we're doing. And to have this workload with such a huge vacancy rate is hard. And so I know it's helpful for staff to hear that commitment from council on the resources. So thank you. Not getting them off so councilmember harper-madison then I'll go to Allison alter thank you. I'll be brief. I just wanted to make sure to remind my colleagues that everybody's invited to the committee meetings. So every council member who decides to attend is welcome. I mean, council member Vella might as well be a member of the body. He's been to every

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meeting. So so think that's a good opportunity for us to have staff be able to candidly speak to us as a body and everybody's invited. So the more the merrier. Councilmember Allison alter then councilmember Rainey, thank you. I'm pleased that we are recognizing the level of staffing that we've had in planning with the magnitude of the work that the majority of council has asked them to do. I think that's really important that there is a prioritization and that we recognize that those pieces I wanted to just, raise a flag for the interlocal agreement as something that is a high priority for me. Our voters passed a \$2.44 billion bond and they are expecting Singh to deliver. And we as the city have a very important role in doing that. So it seems like it's on a slightly different track in terms of how you're tracking things. But but didn't want to leave this discussion without

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out highlighting the importance of getting that right. So that we can move forward with what they expect for that bond. It's very complicated in this environment to secure contractors and do all of those processes, and there are pieces that need to be done within that interlocal if there are a few pieces that can't get resolved quickly, please get the other pieces done and come back to us with a second. If there are some, because we really need to let them kind of be moving forward. And then I also wanted to echo what councilmember Fuentes was saying about the childcare items. As you know, the planning department is not only housing and these other elements. You know, if we neglect them for a few years

while we focus on housing, then we're going to have you know, additional crises that we're trying to address. So I would also encourage us to be thinking on the childcare amendments, how we are going to address those,

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because if we're going to be putting a lot of people in this areas, they're going to need childcare, they're going to need to have decent schools, Luz and we can be penny wise and pound foolish if we're if we're not careful. Thank you. Councilmember Ryan alter. Thank you very much. I have a one Ann question from your your memo. That's stuck out to me when y'all see all the arrow, the ones that are already in progress and it was a mention there that these items will occupy staff capacity through October 23. Or are you saying that these items. They will all in in some be be finished in October 23 but others are you know per your Gantt chart going to be in Ann development or that staff resource pieces are dedicated to these or are filled up with these items until October at which point we can

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move forward? Yeah, that would that language is probably less precise than it should have been and will not occupy all of our all of our staff resources. I think we are expecting that we would be working on the development phase of all of the items that we're showing us, working on the development phase of if that makes sense. I assume so. I just wanted to yeah, the Gantt chart is accurate and to that chart itself, I'm curious if you can help us understand a little bit in terms of workflows for an individual in is let's just take a longer item compatibility that's pretty lengthy is, is the length of time in developing it or is someone working on that day in and day out or is this, you know, they'll they'll work on it and then it needs to go somewhere. And so they work on something else essentially. Where I'm going with this question is if council said to you, you know, 1 or 2 of these

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items are something that we just we think are really critical need to be done. Now is that compressible with more staff or is it just it takes that long because it takes that long. So you kind of two parts to that answer. One is that a lot of the more complex items require expertise from multiple departments. So by definition, we're going to have multiple people working on it. Of those multiple people, probably the majority of them are working on other things simultaneously. So it's not their only work. But that that makes sense because we need multiple staff from multiple departments on several amendments that are all happening at the same time. But the other sort of timeline constraints that I want to point out is there's also a community resource and engagement constraint. So compatibility is a good example. The equitable transit oriented development overlay work is another really good example on the chart where

we know that we will need to have some robust community engagement and in some cases engagement only happens so quickly. So there's some constraints there that aren't

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just a pure resource constraint on the staff side, and that makes a lot of sense as it relates to the flow chart, the codes and ordinance joint committee, what exactly is their role in all this? What do they bring to the table that, let's say planning commission doesn't or. Sure. So the codes and ordinances, joint committee includes members from the planning commission and the zoning and planning committee that are specifically appointed to that committee to serve in that role historically, they have been kind of the commission members that have decided to develop an expertise in our code and to be able to provide actually a fairly solid technical sounding board for some of the items that staff is bringing forward. And they will be involved if planning commission initiates a code amendment that is a staff led code amendment typically we staff would take it to the codes and ordinances joint committee for a recommend motion to planning commission to initiate it. And then it would move back to codes and ordinances joint committee for review as the

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draft before it hits the planning commission. So the planning commission really relies very heavily on the codes and ordinances, joint committee for their expertise around the land development code and do you is it required by code? And that might be a trick question to go to code and ordinances as it is a trick question. Turkish link with the law department. Yes. Actually in the city code provision specific to the joint committee, it says the code amendments are supposed to go through them and because they are a joint committee, it is planning, commission and zap. And so that's zaps real opportunity to weigh in to this which is very valuable to the members of the zoning and planning commission. So we do follow that process unless we're directed otherwise, are we authorize? Eid guess, let me back up the requirements under

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502 to go to planning commission or to go to codes and ordinances. Are those required by state law or is that a requirement we've put on our self? We are required to go to the planning commission if we are amending zoning regulations. So anything in 25 two are our regulating plans or something of that nature. We are required by state law to go to the planning commission, other amendments to title 25 council made a decision that that's the process they want to follow and want it to go through the planning commission got it. All right. That's all my questions. Councilmember Bella, I very much appreciate council member Fuentes comment. S and I just want to reiterate the, I guess the urgency and

I'll speak for myself. I know that other members are in a similar situation, but but you know, I was elected largely to loosen up the zoning regulations and get

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more housing built and that's been, again, a theme in many elections. And we as a body need to deliver on that. So I just want to kind of reiterate the urgency of that. I think, you know, just kind of saying that that we're not going to be able to do anything major until, you know, the middle of 2024 or something like that. Is not acceptable from from my constituents perspective. And, you know, from my perspective and so that leads me into the I know the city manager you mentioned the consultants. We have many different kind of those rotating contracts for, you know, engineering services or for, you know, what I mean, brush cleanup or whatever it may be. Do we have something similar in place for code amendments. I don't believe that we do. But we do have the we can certainly look at a way to bring a consultant on board quickly. And in that area of sense of urgency, that's certainly

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understood. I think that's absolutely critical. Honestly, a lot of these are, again, under stand that that some of them are complex and some of them are going to take time and interdepartmental review and so on and so forth. And I'll just speak to the ones that I'm more familiar with, which are mine. But like the Flum amendment one is, you know, probably deleting, you know, five paragraphs or, you know, something like that within the code is not going to require, you know, kind of engagement. It's not going to require, you know, it's a relatively simple and straightforward item that I think, you know, could be easily knocked out. Again, not that I'm saying that's, you know, a priority or anything like that. I'm just kind of trying to think through the level of work that we're putting on on staff and then think about that. The disaggregation of lots. Also so think there's a handful of words that would need to be changed in a handful of parts of the code to achieve that outcome. So when I look at those, I just think of those. And again, I understand that you know, the drafter has

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to do it. It has to be reviewed. You know, you have to double check to make sure, again, that you're not encountering any kind of consequences. But when I look at a handful of those items, 15 hours of work, you know, 20 hours of work, I mean, again, and I want to also understand, you know, why something like that can't not can't be just knocked out, why we can't hire a consultant, of which there's many in the city because of the complexity of our land use code. We have a lot of really talented folks out there that, you know, that a lot of city of Austin employees who know this code, you know, backwards and forwards that why we can't just kind of you know, say, okay, these six items let's you know, get hire a

couple of consultants, have them knock it out, have staff review those changes and get them on the council agenda and Eid get them out the door. So can I respond to the amendment example? Because I think it's a really great example. That is an example where the actual technical work of amending that code is very simple. I could, you know, do that work. We've already done that work. We could, you know, do that work today. However over in addition

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to that technical work of amending that piece of code, we also need to be able to do sort of the moderate community engagement process on that one, because it is one that there are stakeholders out there that care very deeply about that section of code that we need to be able to have a conversation with in advance of it hitting the public hearings process and as part of our sort of due diligence as a transparent community and a community that builds a city that builds trust with the residents that live here. I'm sorry, but like that past on consent unanimously, what community engagement needs to be done on a Flum amendment? The rationale for passing. That was 20 years ago when we were doing the neighborhood plans and there was idea that if we just implemented this neighborhood plan, then we don't want to immediately amend a neighborhood plan that we just passed. And because staff was very busy doing multiple neighborhood plans, in other words, the reason for limiting the Flum amendments to those were were temporal. So that was 20 years ago. What community engagement

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would need to be done. I understand there's people that care deeply about many, many changes, but we can't stop the entire city process because there's a handful of people that that want to, you know, make their comment. They were free to do that at the council meeting. They're free to do that when the amendment comes back again, what I just don't understand what what do we what do we mean by community engagement on the on the Flum amendment? So in that example, we took a similar amendment forward to that, that section of code actually less than less than ten years ago, and it was voted down because we had a fairly substantial number of folks show up at the planning commission hearing to testify against it. Mostly representing the groups, the neighborhood plan, contact teams across the city that are still in place that do still review neighborhood plan amendments and that have very strong feelings about that cycle. Knell from a staff's perspective, mean we, we really, you know, work at the

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leisure of the city manager and we'll do what we were directed to do. But we also need to be able to have a community engagement process that builds trust with the communities that council and that our commissions are likely to hear from in order to kind of continue to have things actually move forward and not end up. And councilmember, let me if I could just add as somebody who not not not necessarily a code issue, but in my previous term here, I, I thought it was quite simple to close the Hyde park fire station. And I found out that I was mistaken. And there were a group of people that came and stormed city hall and basically said, what? What does the manager thinking? And so I quickly learned that there are an active group of people in the city government that watch what we do and are going to get engaged no matter what. But we hear your question. I think housing is the priority of this council. We understand that. We've got to go back and look at what resources we need to see

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what we can do to expedite that work through the committee that the council has on those issues. And to the degree that we can the last thing we want to do is move so fast that when you get before the planning commission, you get told no, because then then we're stuck. And so we're going to have to do this in a way so that we can get it to onto the council's agenda. And we, we hear you and we'll we'll try to and we understand that that there are a there are a lot of folks that think that the housing should be the number one priority, not just for this council, but for the community because of the affordability issue. So we understand that. Let's we'll go back and look at our our schedule, go back and look at what resources we have and we can augment. And to the degree that we can expedite things, we'll work through that. And I appreciate that. And again, I understand the you know, the differing perspective on housing issues that said, I think your example is very telling in the sense that there was a very difficult and controversial measure here ten years ago that did not go through, whereas this time it was not controversial at all and it flew through. So these are a

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lot of times a lot of the issues that we're discussing have been highly vetted and discussed in the community for decades. And the community has essentially kind of I don't want to say consensus. That's the wrong word. There's never going to be consensus in Austin, Texas, on just about any issue. But that said, a lot of things that were considered controversial. Knell, you know, in 2005 are just simply not controversial anymore because of, you know, numerous factors we have at this point, decades of kind of community input and involvement. And again, I mean, the fact that the Flum amendment that was voted down by the planning commission passed on consent without any opposition on council mean to me that's kind of tells you everything you need to know in terms of kind of community outreach and involvement. And so again, I respect that very much. I think that you know, the atp and the light rail project was an excellent example of just extensive and deep community engagement and involvement, which was I think ultimately very successful. Big projects like that, they're going to have

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big impacts. Absolutely we need to have a certain level of community engagement and involvement, but but again, these more smaller changes where we're really just trying to make the process a little bit more efficient, a little bit easier for folks that have to, you know, deal with it and engage in it. I just don't see how that kind of small change would need a high level of, you know, community engagement and kind of this long iterative process of running it through all the stakeholders and, you know, and so on and so forth. With regard to the administrative process. And again, I know little to nothing about, you know, the, the code amendments is like black box that, you know, they leave council, they, they go to staff and we don't have no idea what happens behind the screen. And then they they come back to us. But again, just to kind of inform form myself and council and the folks that are listening, if we could take an example and would say the parking item, the eliminating parking requirements as, as a,

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as an example could you kind of walk us through what you know now that it recently passed? What what steps you know what what would that look like? What will that look like as it kind of leaves council and then, you know, goes to staff and then comes back through the planning commission and to council. So that particular item is actually going to be led, I think, by our transportation department, our public works and transportation department. So I will defer to Paul to walk you through that. Thank you. Council member. Thank you. Council member baruah, development officer, transportation and public works department. Yes, the parking minimum removal. It's a complex code amendment, but it is a very important one for us. There are multiple programs that we have that would be impacted by the removal of the parking minimums. For example, the neighborhood parking program. As you know,

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there are certain neighborhoods where residents can seek for their parking spots with the neighborhood parking permit. So there are certain other programs like that that would be impacted . So we need to make sure that trying to solve one problem, we do not create another. So we need to assess all the scenarios, how we can mitigate other programs just so that the code amendment becomes really successful. So what would be the first step? Again you know, since it was passed? I can't remember two weeks ago, four weeks ago, you know, then guess what are kind of the next steps through that process? It's like, where where does it go? You know, who has it? Is it, you know, held by different departments that would be, you know, handling kind of different aspects of it or so right now we are assessing different programs that could be impacted by the proposed amendments. And we are reviewing how

can we mitigate those particular programs and how can we make sure that once this particular amendment is approved so that we don't have

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other impacts in the operations side and the residential parking program? So then I guess the assessment of the programs takes place in terms of, okay, what are the areas that the removal of, of minimum parking requirements is, is going to affect? And then once you've kind of made that assessment and said, okay, these are the three areas that that it may affect, then what would be the kind of the next stage after that. So once we are able to mitigate other programs and we bring forward the proposed amendment to the code cabinet and basically assess different angles of that proposed language with development services department, planning department and make sure that it is really tight and it's, you know, bullet proof so that it becomes successful eventually and so as part of that, guess and again, I don't know the code as a drafter or as a user, you know very well. But I assume that, you know, like, for example, the parking requirements are not

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just in one section of the code, they're probably strewn throughout, you know, many different sections with references to park requirements and all that. I'm assuming that as part of the process, y'all would have to go through there and kind of clean up the entire code to remove any any mention. I guess, of parking requirements. Is that how it would work? So in the case of this example and then I'll turn it over to brant to talk a little bit about the kind of the code cabinet approach. This is clearly an amendment that has impacts for multiple departments and then also has the support from the law department to make sure that we get the actual code drafting piece of it correct and legal. It's got implications for other programs that leads. It's also got implications for how we do accessible parking spots, for example, all. So there will be a fairly rigorous technical process across at least three city departments and addition to others through the code cabinet process to identify and analyze the impacts of the changes and make sure we're mitigating for any impacts that are unintended consequences of that change. And then to develop the change at

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that point, once the recommendation is developed, it would move through some form of engagement process because this is a fairly significant change that has a pretty high impact on the city. I don't know that the details of that engagement process have been identified yet. Once it has kind of gone through that process and is really ready to be presented, is when we on my team's side do the work to actually kind of help support scheduling for codes and ordinances, joint committee for planning commission.



There's a set the public hearing date that gets scheduled for council, followed by the hearing date and the three readings that council knell so that's quite involved. I don't know if brant, if you had anything to add. Well, let me just add one other thing. And councilmember, we don't want to do is we don't want to take something that may be complex and try to oversimplify it, because when you try to simplify a system that you think I know this is the problem, so this must be the fix. And then all of a sudden you've got other issues that manifest themselves that we didn't think about. So we need to make sure that we're thoughtful about that. But what

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I would ask the staff is to the degree you can not do this sequentially but do the things that you can simultaneously without, without waiting for one piece to get done, then the next piece, get done, etcetera, so that we are trying to get this done in an expeditious way as we as we possibly can. And I appreciate that city manager and I completely share your opinion. I'd rather do something kind of thoroughly and well and carefully than, you know, quickly with, you know, again, you have some pieces that maybe you didn't touch or that, you know, there's going to be some uncertainty left after the, you know, the amendment process definitely don't want to have that. But again, I'm just trying to understand the process a little bit better myself. So and again, the amendments I know that the plum and the and the substandard lots amendments were were honestly, one of the reasons that we looked at those in particular was because they were so simple, you know, and we were kind of like, you know what? Let's get these kind of simple, easy things that that are not going to, you know, overwhelm and cause a lot of

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like those where we're really from my staff and the district four office perspective, we've been really kind of trying to identify those kind of simple changes that are, you know, not transformative, but are just kind of helpful and will, you know, move the process along. And I'm sorry, Mr. Lloyd Burt Lloyd development officer Steve covered most of what I was going to speak to with regard to parking in particular, the importance of providing for accessible parking, which is normally driven by your number of minimum parking spaces. So there's going to have to be some thought brought to bear into how to incorporate that that exists elsewhere in the code will be able to do that. But it's going to take some thought. There were some points I would like to make if, if there's time in relation to council member alter's comments on the agreement. But I'm happy to if there's interest in that or not, I would love to hear it. I know that the superintendent, we spoke with him and I know they're very concerned about the you know, the timing of that and making sure they're able to, you know,

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get their new schools built and mean likewise. You know, I've had I have two kids in right now, had three and Eid. That's hugely critical for our entire community. And we definitely, as a city do not want to stand in the way of improving its schools . So we are is leading an effort of inter-departmental coordination and external negotiation with on the agreement. And we're doing everything we can to deliver the amendments as quickly as we can. The original agreement from 1994, bore the signature of interim city manager Garza and hopefully the 30 year update will as well. But to council member alders points, we want to bring forward potentially amendments in in batches with an emphasis on the ones that are most impact full to meeting their bond program. There's a lot of you know the agreement is multifaceted and touches and concerns lots of aspects of development not all of which are equally important to the primary

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objectives of delivering their bond projects. So we're going to focus on those. Additionally, under guidance from director Roig, we are looking at administrative fixes and things that we can potentially provide assurances to through memoranda that will address some of the concerns they have and may lessen the need or affect what what particular amendments are going to look like. Additionally at a more broader level, just also wanted to say with regard to code amendments and agreement is not a code amendment. It relates to regulating development. So there's some logical overlap, but it's a separate thing. But with regard to code amendments, there are times when council will initiate amendments that have lots of different things within the body of a resolution, and some of them are easy and straightforward and some of them are anything but Eid and some of them are complicated and require a lot of effort. And so going

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forward, as we look at the amendments that have been initiated, Eid and our work plan, we're going to be talking with the manager's leadership on potentially bringing forward the easier amendments from a resolution rather than making it an all or nothing thing where we can't bring anything forward until everything's developed and one potential example of that would be child care. There are aspects of the child care resolution that are straightforward, and we believe we're committed to delivering them in the timetable provided by Stevie and there are other ones that we may be bringing forward. There may be more work required. And so rather than having all or nothing approach that will extend the timeline further out, we're going to look at trying to bring forward the ones that can be adopted in a near term basis, separate potentially. And that's a new approach that we normally don't do that unless we're given specific direction to. But think for some of these amendment that

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have already been initiated that are in the back log, we're going to look at following that approach where we feel it would result in amendments being able to be adopted more quickly that are going to make a real difference. And again, we won't do that without prior consultation and guidance from the manager. But think it's an approach that would make a difference. Wright and I just wanted to quickly reinforce that partnership with it. Absolutely is a priority and we fully support a strong partnership with know the city manager has had conversations with the superintendent and I, myself and our team have met with their Janet. Our team has met with them probably weekly at this point, but it really is something that we're supportive of and like you council member, many people on the team have have children in our in our local schools. So it's a priority for us as parents as well. Well I appreciate that and again, I would just urge the again, I understand that there's you know, staff has limited resources, but the I would just

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urge the consultants, like I said, we do it in many other departments where we have that kind of, you know, pre-approved list with the budgeted money ready to go where, you know what? We need an engineering firm to knock this design out. And again, it's technical work. It doesn't require a lot of a lot of complexity, you know, around it to the extent that we can farm out stuff to, you know , to take some of the burden off of the planning department, especially on the simple items and just kind of check them off the list. I would really urge the staff to do that. Councilmember Allison alter, thank you. I'll be really brief. I appreciate the additional information on the interlocal and just wanted to flag, I think you may have worked on it with us in 2017, but my office had a resolution in 2017 with the prior bond to facilitate that process. It's separate from the but there's a whole expedited process direction that was given

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in 2017, which would still hold for this bond. So just wanted to flag that and then I just wanted to just for the record, for myself, say that if I vote in favor of an item that is not an endorsement and my part for skipping the engagement process with the community, there may be things where the community has a lot to add and think that's a really important value add of our process. And so just wanted to say that on the record, I'm speaking for myself not not for anyone else. But but it is important to me that we keep the community engaged. I think over the last several weeks our community has been focused on the legislature and perhaps is not even aware of some of the things that have been adopted and proposed at council. Knell thank you. I'll say thank you to the staff on behalf of the entire council for this. Think very productive briefing. Singh and I also think I can speak on

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behalf of the entire council when I say that the council appreciates the work that staff is doing. And I think council also appreciates that it we and you have inherited some some issues, including, for example, lack of staffing and how the how things might have been organized previously. Fauci that made it more difficult to do things and how it takes now some time to get up to speed on those kinds of things is frankly, this council made decisions a few months ago that that allowed for the organization to be changed and more people to be hired. And a new planning director and all of those things that have gone into into play. So by the depth of this discussion, Ann, it's clear what priorities are, but it also ought to be clear that we appreciate the professional

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staff we have that's helping us so thank you all very much. With that, we'll go to item number 45 and I'll recognize council member Allison alter. Thank you. So colleagues have a few questions about this item. Some for colleagues, some for staff. I want to start in the order of least importance and complexity, if I might. So, so first on lines 52 and 53 of the resolution. Ann would redefine triggering property so that the property contains Luz only residential units and is zoned as f1, f2, f3 as f4 a for B or f5. I noticed that neither rr nor residential Zones are included, which are less intensive single family Zones than the listed Zones, but they don't fall on corridors, which is why I think this was adopted from. Is there a reason why they were not included or why they could not be added as a triggering property? So

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residential row, residential and lake Austin are residential Zones that don't fall on corridors. So they would not have been in the. Those are resolution or the ordinance that you would have been looking at because they would not have been relevant for any of the corridors. But they are less intensive residential Zones. That are not listed here. There's no there's no reason in particular they were left out. Honestly, we're working. I think, mostly off of the, the compatibility on corridors ordinance. I don't have any objection to including those in the list of triggering properties because they are essentially a different type of single family. They're not zoned in particular, but they accomplish the and serve the same purposes. So I would not have any objection to adding those to the triggering properties. Okay. Thank you. So if we can figure out if you're doing another draft or if we need to do amendment, that would

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be great. So then want to move on to something that is, more important for me, which when posted on the message board about this item last week, my primary question and concern was that the item does not seem to include any affordable housing requirements. This deviates from what council approved during our most recent compatibility changes on corridors discussion. Most of the relaxations we approved were condition on the provision of site affordable housing units. So I have a question for law and then some questions for our housing staff . Good morning, miss link. I know that you spoke with my office, but wanted to kind of publicly talk about some of some of these things. As you read this proposed Eid resolution or ordinance or any of these relaxations subject to any type of affordable housing requirement? Tirz link with the law department? No, there is no

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direction in the resolution to tie these relaxations to affordability. Okay. In other words, would any developer have to provide affordable housing to access their new development rights? No. Okay. Thank you. So for me, this is very alarming and I'd like to ask the author and the sponsor to explain to me why this item would remove all of the affordability required moments that we were included in our nearly unanimous adoption of relaxing compatibility on corridors in December. So when you look around the nation, the communities that have had success in making their our municipalities more affordable have those are those that have given by Wright developers Swint authority we have have added development authority to their community in other words, communities that have loosened their zoning regulations and allowed for the construction of more housing have over the last

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20 years that has produced affordability. As far as I know , I cannot think of a community that has successfully any kind of affordable bonus, has used kind of affordability bonuses in a way that has generated widespread affordability. I think the distinction here is between do we want more Shaw subsidized units or do we want more broad affordability because there is a high number of housing units which brings down the overall vacancy rate which then softens the market and allows renters to more leverage when negotiating with their landlords, which forces landlords cards to discount apartments or to do, you know, first month free or to do the many different things that landlords do when there is enough housing. I think you know, specifically rey of the communities that that have like

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a Portland, a Minneapolis. It was an excellent study which I'll post on the message board where the communities that have loosened their zoning regulations have seen much lower increases in the rate of rents and in the cost of housing than communities that have not increased. I mean think California you know San Francisco and San Jose and particularly stand out as communities that have lots of affordability bonuses that have just not been successful pool in in in in producing broad based affordability like. Yes you produce an affordable a subsidized unit, a handful of subsidized units and that's great for the handful of people that are able to get into those subsidized units. But what about everybody else? Those folks that do not have access to those subsidized units? They're facing a market that does not have enough housing where you really have to compete with everybody around you for that housing. I would guess, flip the question

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and say where has that approach been successful? Knell so, council member Vella you know, one of the major differences between us and many of the other to the rest of the nation and those states is that those states allow for inclusionary zoning, which we are not allowed to do here in Texas. And so that means that our legal landscape and the landscape within which we are operating for trying to achieve the affordable housing looks very different. I'm pretty sure that Minneapolis, they have inclusionary zoning as part of that, so they're able to do to both of those things. I do want to continue with my questions for staff, which I think get on the same issue of the question that you raised. So I have some questions about the strategic housing blueprint. And so just as a reminder for the public, the city strategic housing blueprint was adopted by council and I think 2017 Ann, it's a ten year plan to help align

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resources and facilitate community partnership around a single strategic vision to create 60,000 affordable housing units for those making less than 80% of median family income and ensure that there's affordable housing throughout the city. I think it was adopted nearly unanimously with only council member troxclair being the exception. And it is, you know, still the guide for a lot of our decision making. So Rosie, do you recall what the affordable housing goals for district ten are? Don't off the top of my head. I'm sorry. So I believe that our goals are the creation of 8456 income restricted, affordable units. Does that sound about right? Reasonable. And our city goal wide goal is 60,000. So really the blueprint has a myriad of strategies which strategies do staff believe would be the most significant way to create income restricted affordable units in district ten for district ten? I think one of the priorities that we have been that I think will help to

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achieve that, would start with potential land acquisition to help ensure that we're able to build income restricted units in that recognizing the base land costs in district ten is, is high and that's a big cost driver for construction of income restricted units. So are there you know what's the combination of strategies though that would get you to 8000 in district ten? I'm not sure. Shaw mean, we think we're very low on the accomplishment of ten goals and think that, you know, we would have to see changes in in land development code. I think increasing our ability to have higher density in that area would probably be helpful. I would welcome if Rachel Tepper, who's our our planner principal over housing policy, has any suggestions in that realm as well. I'll just say that we are working on a study that was initiated by when the ordinance

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for compatibility on quarters was adopted to specifically look at the strategic housing blueprint goals and citywide compatibility. We to look at the very recommendations burns for how to advance those goals in a comprehensive way. And that study will be out in July. Can you create 8000 affordable units through land acquisitions? No. Okay. Thank you. So I think the blueprint also sets the goal that at least 25% of new income restricted affordable housing should be in moderate to high opportunity areas. Does that sound right? So if the state does not allow inclusionary zoning, would it stand to reason that the two primary ways that we could create income, restricted affordable housing and district ten or other high moderate opportunity areas would be through public investment, as you suggested, in, you know, land acquisition or in density bonus programs. I think that's reasonable. I would also want to say when we did adopt those goals for the strategic housing plan back in 2016, we did recognize that those were highly

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aspirational goals. We talked about that with the council that was seated at the time when we identified the 60,000 unit goal in 2016. We identified it as an \$11 billion need in \$2,016. So that's clearly be much more now. And and we're not we recognize that that was not going to be completely able to be accomplish Burt with just direct city of Austin subsidy that that would have to be a myriad of partners coming to the table you know well beyond what we at Austin housing finance corporation and the city of Austin could accomplish. Yes, it was definitely highly aspirational. So so, our blueprint set a goal that 70% of new housing units should be created within a half a mile of. Imagine Austin centers and corridors. Does that sound right? And our blueprint also creates the goal that 25% of affordable housing should be created or preserved to be within a quarter mile of high frequency transit and that 75%

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of affordable housing created or preserved within three quarters of a mile of local fixed route transit service, ensuring metroaccess service for eligible persons with disabilities. So you can nod. I know that that's that's where we are. But, you know, I'm struggling to understand how we would imagine that we would create these affordable units, particularly in high and moderate opportunity areas, without using a density bonus program. And if we do agree that density bonus programs are part of our tool kit to obtain income restricted affordable units, why would we zero out our affordable housing requirement as part of an increase in development rights? As significant as this item, contemplate is, we might debate that we need to calibrate these programs differently, but this action eliminates affordable housing requirements, wholesale. So the way I see it, we can have a debate about how much we want to relax compatibility and what we want. The distance to be or the height limits to be. But if we want to reduce it, this drastically without requiring any affordable housing, I think that's a step in the wrong direction. When we discuss item

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40 and a little bit, it seems interesting to me that we are walking away from a model where we have seen some degree of success relaxing requirements on multifamily corridor development with an affordability requirement. At the same week that we are trying to craft a density bonus program within single family housing item 40 seems to acknowledge that an increase in entitlements can be calibrated to capture much needed income restricted, affordable housing. And yet we are walking away from the model in the multifamily Singh situation. My concerns, I want to be clear, aren't because I don't believe we need to be attentive to market rate housing supply, multiple actions are being initiated to increase market rate housing supply. I coauthored along with mayor Adler, an item to allow residential use within most of our commercial Zones, subject to an affordable housing requirement. That was part of the draft codenext that had been calculated to be the single largest increase in housing supply. And I believe that that was also adopted unanimously. I hope that that policy change won't be the next thing to have

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its affordability requirement removed. Eid you know, as this is drafted, I'm not going to be able to support this item on Thursday. And I think that, you know, we have to be able to think about how the combination of the entitlements that we're changing impact our ability to secure affordability in an environment where we don't get to require the 10% affordable that most other states allow, that Texas does not allow. And I think that you can you can do both, but you you know, if you if we don't want to think about what is our situation and where we are in Austin, we will never get to the 60,000 Eid affordable unit goal. And I'm not going to go down another tangent which could about why we had 60,000 affordable units and 75,000 market rate units because we use the growth rate, which is not the growth rate and that meant that we are now focusing on the market rate instead of those affordable units where we all



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agree we need those affordable units. And you know, just really, really feel that we shouldn't be throwing out our affordable Katy requirements as we provide these entitlements. So let me make just a few points in response. First of all, staff did not support the compatibility on corridors approach. They thought it was Luz to Conway plex and it was unclear what its effect was going to be. I'm not aware. And staff, please correct me if I'm wrong. Has there been an applicant specifically for the compatibility on corridors bonus program in the six months since it's been in effect? In other words, has one single person tried to use that bonus program. And I would like to also I'm not talking about a project that also kind of qualified for the compatibility waiver because they were already taking advantage of another density bonus program. I'm talking about somebody who exclusively said,

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Eid, I just want to use the compatibility on corridors bonus program. I think from what the assistant director of planning just told me, I think we do have one potential applicant who's interested in taking advantage of the compatibility on corridors and that's just the anecdotal, quick conversation here in the room. So I would also point out that Austin's compatibility rules are so far out of sync with every other city in the nation, with every other city in Texas that they have been consistently identified as one of the number one barriers to creating housing and the type of housing that they are a barrier to is rental housing and poor people working class people in Austin rent. And that is what compatibility is doing. It is taking, you know, a 200 unit Conway that's going to go up on on burnet and turning it into a 130 unit complex because of the compatible Katy force field that's coming from the house. You know, across the way, those are the problems. On the contrary, getting rid of the of

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compatibility, reducing compatibility does not it's not going to hurt, subsidized units. It's going to boost them. Vmu I think. And again, please, staff correct me if I'm wrong, I think we've generated about 600 affordable units through the vmu program since its inception. We can get back to you on that. I'd have to verify those numbers and that's that's no problem. If it wasn't for compatible city forcing the number of units in those developments down, you know that number could be 900. That number could be a thousand. So compatibility is quashing the impact of our commercial to residential is quashing the impact of vmu. When you look at our most successful knell programs for creating subsidized units, I mean, again, look at the university neighborhood overlay, which is almost completely immune to any is compatibility. In fact, I think is specifically exempted from

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from U and zo. Is that right? Wright. I believe that's correct. So again, compatibility and I will say as a as kind of just a final point, compatibility, I don't even think there's a map of compatibility that exists out there. You know, you buy your property and it's zoned a certain way. You know, you buy this property and it was zoned f2. And you know what? If you want to come to us and have it, you know, up zoned or whatever the case may be, absolutely. You know, there should be we are absolutely in our rights and it's good policy to say, you know what, you need to put some affordable housing units on the on the table. But compatish ability is something that another property which I'm not even aware of, may or may not affect . Sometimes it affects a part of my property, sometimes it affects, you know, half of my property, sometimes it affects the whole property. But this is not something that the purchaser of a property, the developer of a property that's not within the kind of, you know, the four corners of the property. It's

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not identified as part of the entitlements. It's something kind of completely separate Ann apart and I just think that the idea of kind of holding development hostage using compatibility and trying to kind of squeeze out a few affordable units ultimately Leslie, that's not going to be an effective way to get housing produced like I said, I would like to see a real world example of that. I don't think there is one because our compatibility rules are so far out of line with every other compatibility measure in the nation. Many cities don't even have compatibility rules. So again, I completely support vmu. I think that the commercial to residential was a great change, but compatibility and kind of forcing affordable units with compatibility is just not a productive approach. Paige thank you, councilman. And I do have some numbers on vmu if council is interested. This is from Rachel's quick research from February of 2022, we had 29

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buildings completed. We had nine under construction and 18 in planning as of February 2022, vmu housing units was 5379 completed with. 2037 under construction Ann and 3992. In planning income restricted units as as part of that were 540 completed with 496 under construction and 404 in planning and again numbers from over a year ago. Thank you. And how long has the vmu program been in place? Oh do you remember that, Trish? I don't. I'd have to go back and look at when that was and again, it's a good program. I like it. But 900 units over Shaw again, I don't know how many years is peanuts. I mean, that's just not enough to move the needle on affordability in Austin. We need to do better. We need to generate more units and we are doing better. I mean, we have our housing bonds. You know, we're doing projects that are 50% affordable and we are

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doing better. But like I said, I think just from a long term approach, the idea of kind of squeezing out those affordable Katy gains with is not going to produce a number of units that we need to bend the curve on, on housing affordability in Austin . Thank you all for the mayor pro tem. Got just a couple of quick thoughts. I appreciate the dialog on this. And as someone who represents the second to last district in affordable units coming online since the blueprint was handled, you know, I want to make sure that we've got tools in place to get affordable units into district eight. We've got good schools. We're working on beefing up the bus system. There's lots of good entry level types of jobs. And we have neighborhoods that run the gamut all the way from, you know, nice homes on the lake down to mobile homes in the center part of the district. And they still have access to good elementary schools, even if they're living in foundation communities and really trying to make their start in Austin. And at the same time, I always try

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to remember that the new units for rental that get built this year will naturally become more affordable as the years go on. And there's more desire for new units and the older units, you know, have to be more competitive in the rents that they're offering. And so this is kind of a mixed perspectives representing a district like mine where I want to make sure we're looking out for folks that deserve new units that are deeply affordable. And there's that long term commitment for folks that really need it. But at the same time, I know that as our housing opportunities move through the years and repairs have to be made, that there is that commitment to affordability. It's just more of a market rate affordability rather than one that the city has to monitor and manage over the years. And so it's been an interesting conversation and I see where both of y'all are coming from and appreciate the dialog. Thank you. Mayor pro tem. That, appreciate the conversation and discussion. We'll go to item number 40 that was pulled by the mayor pro tem

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and councilmember Allison alter . I'll recognize the mayor pro tem first and then I'll come to councilmember alter. I'd actually probably like to defer to councilmember Allison alter first. Thanks that works. I'll recognize councilmember Allison alter. So as you can gather from the discussion over item 45, I think density bonus programs can work and can help us achieve our goals. So I wanted to ask the author, which I think is Ryan alter. Can you tell me how you envision this program working in what typology of housing you imagine it will create? Absolutely. So what we are trying to accomplish here from a high level is to create an ownership density bonus program that allows for more affordable units to be built without a subsidy. That's the overall Singh goal. I think to your point about how expensive it is , you know, if we were to try to purchase our way to affordability, we just we can't

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do it. And so what what this program looks to do and we've been meeting with staff about how it might work, but one of the innovative things that we're hoping to accomplish here is to look at a different regime instead of purely driven on a unit count basis, but instead say that we want to look on a bedroom typology. So what? I mean by that is the way we're thinking about this is you take a lot and you divide it by a certain number and that would tell you how many bedrooms you were allowed on your lot. And then you would say a certain number of those need to be affordable and they have to go in various units. Let's just pick a round number, 50, for instance. And what the reason for that is, you are incentivizing the creation of more family style housing, two bedroom, three bedroom units,

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because right now what we have is when we say, okay, you need you have six units and three of them need to be affordable. Very often those three affordable units are studios or one bedrooms because that's their air filling. They're fulfilling their unit requirement. And so instead, if we said, let's say you get ten bedrooms and 50% of them have to be affordable and you decide to do a three bedroom and a two bedroom to satisfy that. And then with the others, you know, you you do however you want with a two bedroom, one bedroom, five bedroom. However we want to create flexibility, but with the eye toward not to creating something Singh other than what we've typically seen in the smaller the one bedroom or studio regime. So that was kind of a lot of detail. But but really the, the overarching goal is to recognize that larger lots can sustain more units. Let's say, you know, a four plex could

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be on a larger lot than than a smaller lot. And so if we create the flexibility to with the proper affordability requirements that we can achieve, I believe something different than what our current bonus programs provide. So what entitled butts would you be granting them in exchange for the affordable? So it'd be a couple a couple different things. It could be a unit. You're you're are waiving the unit cap. So let's say you're on an sf three lot where right now you're allowed Eid two units. If this was a larger lot and you could have, like I said, a four plex there maybe through this program. So, so that's one. Number two, we've talked about some of the mcmansion tent aspects and making it easier to, to develop there. We've talked about some of the other

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restrictions, looking kind of at affordable Katy unlocked to see what, what, what entitlements were relaxed there whether it be or I should say development standards, setbacks, height, those types of things. We the idea is for this to fit within a neighborhood though. So I'm not looking to try to allow for, you know, something Singh that is, is different in style than, than what you see throughout. It might be slightly closer together, but that doesn't necessarily Leslie you know, we're not going to put a, a five story house. I've never seen a five story house, but something like don't allow them. That's right. In it's all within reason. The idea is to have this

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be something that is you realized throughout the city in a in a in a manner that is so flexible so that we're not just kind of one size fits all everywhere because it doesn't work the same in district ten and district five and district eight different needs and so that's, that's the approach. Thank you. So want to think about what you said and may have more questions for you on Thursday. Shea can you share how you see this item working in concert with item 45 and how you reconcile a scenario where it makes sense for us to create a single family density bonus program in tandem with walking away from a multifamily density program? Yes. So the idea is that they will work kind of hand in glove in a couple of ways. One, Ann, this is solely focused on I'm sorry, just want to make sure. Shaw you said 45. I was

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thinking of councilmember Fuentes's item, so let me back up how this will work in tandem with item 45, I believe that what item 45 looks to do would have almost no impacts on this because these are in our sf Zones. And item 45 specifically exempts our sf Zones. Sf6 being the one area of difference. So they wholly we are not at impacting each other also in terms of height, if you look at it, what we see see let's use affordability and locked as an example where you're allowed either 25% or 50% increase. So that would be on, you know, once again with an sf three lot, 35ft. So you could potentially be in the 40ft realm. As we talk about compatibility, there is a

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compatibility waiver within built into that and think you know to my point earlier where we're not looking to go super high so if I personally think 25% would probably be the maximum necessary, and not even altogether utilized when we've seen for a lot of the affordability and locked programs, it's townhouse style that typically reach about 40ft. So you don't even get to think 25% bonus is 43.75. But I don't see compatibility running into this item as it would with like a large 200 unit apartment complex. That's not what this program is focused on. It's this is more single family housing or, or townhouse style

or detached units that that type of product. So let me restate the second question a different way. So if you believe a density program, bonus program will work in a single family area, why

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can't it work in a multifamily area? It can. I don't I, I what what you brought up with the item 40 is giving me something to chew on. I'm thinking real hard over here about what the appropriate path forward is. So I you're, I think density bonuses are great. I think they're a huge tool for us. And I think they really inform kind of a larger question that we need to answer as a body in terms of when we utilize these bonuses, do we always aim for the most affordable in terms of mfi, but fewer units? Or do we want more units but not quite as affordable? I think that's something that that we have to think in these development bonus program or the affordability are density bonus programs. Excuse me. But I do think it's worth thinking about that and I'm, I'm actively thinking about it. So great. Well. Well, I'm glad that

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planted a seed. Good. I'm appreciate that. And I want to just clarify that I am supportive of councilmember Fuentes's item related to the third tier for affordability unlocked. I think that was a program that we adopted unanimously. It has been working, you know, the more we give away on all these other things, the less that works because the land cost will go up elsewhere. And it's just there are a lot of these pieces of puzzle that work in different ways. If you go beyond just supply and demand is the way that the lens that you are looking at this from an economic standpoint and you take the broader view. So we do have to be careful pool of when we move one piece, what happens and, and what levers we do actually have to get the affordable Katy beyond subsidizing. Absolutely. And in this item, I worked with councilmember and councilmember Fuentes to like a was at the beginning I think work hand in glove of that affordability unlocked is a unit driven program and so I think this is

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going to help inform whether or not there are different ways to achieve, the affordability levels, not only in terms of the number of units, but the type of units. And so the hope is that we are both able to create Wright programs that, that allow for non subsidized affordable housing. And let's see if there are different approaches to achieve different types of homes through these different bonuses. So that's I'm excited to see where they go. Thank you. Mayor pro tem, you have anything? No, I don't think I have anything to add. I just wanted to make sure we could have the conversation. Sure. And think it's really important to note that these are contemplated to be in the comprehensive of density bonus portion of where we started today, and which I think is critical because we need to figure out where in these bonus programs, what's working, what's not, and how we can maximize what we're trying to do in terms

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of our affordability goals. So thank you. Council members. Mayor pro tem, I'll go to item 41 that was pulled by the mayor pro tem and I'll recognize the mayor pro tem. Yes. And I just had some general high level questions since I'm not in the sub quorum. But see, we wanted to end up somewhere between the geography based bonus program. Luz, but not quite to the tier one and tier two that are identified in affordability unlocked. So I just wasn't sure if there was a specific target we were trying to hit or if staff had kind of identified anything with your team about here's a range that we expect we might be able to get to in, in exchange for the height that would go with it. Yes thank you mayor pro tem and, and that calibration of the requirement for the affordability level, we are going to leave up to staff to come back and provide their recommendation. What we know is that at minimum it's going to be 10% and then the maximum would be 50, which is the standard for affordability unlocked levels one and two. So it's going to land somewhere between 10 to 50,

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and that might be helpful when we get a little more information about I know there's a lot of different density bonus programs and I think you have made the list for us before and can't remember exactly where those thresholds are. I know with vmu two, if I'm remembering correctly, we landed on the, you know, that second tier of being a 12% affordability. And so I just was kind of trying to jog my memory on is it between 10 and 50, 12 and 50? Is there another number in a different density bonus program that will that will be the new floor. If it's not 12, I think for as council member Fuentes said, we'll look at this. It's good to look at each of these in as we're calibrating in their own, you know, from their own structural perspective. I don't know that I would be able to tell you a different number between, but I think between 10 and 50. The goal here being of course to incentivize folks to come and produce affordable units without coming to us for subsidy. And so we'll be taking that into consideration. And I'm

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happy to recirculate the very substantial list of density bonus programs that we have that are in place at the city of Austin. I knew I had seen one along the way. Oh yeah, it exists. And I know we've also had conversations just about recalibrating the programs and really, you know, having a good understanding of which ones are function Singh well, which ones are being used. I know in the previous items that we've just talked about, we've asked about who's actually coming and applying for this. And how many units are actually getting, you know, keys and doors. So people can utilize them and that's part of, you know, when we were talking about the overall code conversation that we had that started the morning Singh, you'll see a line on there that talks about doing that comprehensive look at our density bonus

programs. We have many and some are more successful than others and we want to have the ability to take a step back and look and see what makes them successful, what makes them not what are the factors that are going into there. And if there's a way to recommend some potential code

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changes as a result of that, comprehend of analysis that would allow us to do, I don't know, console rate, do things smarter, have things, be more administrative Leslie easy right now for every density bonus program we have, we have probably a different calibration calculation. Ann there's different rules about them. There are different. Some of them have fee and Luz, some don't. Some have fee. And Lou that can approve, some have fee in lieu that council has to approve. It's very burdensome administratively based on how they've been, you know, kind of cobbled together over the years . And so that's part of the analysis that I would like staff to undertake is to take a step back and look and see what makes sense and how can we do this in a way that will, you know, kind of take advantage of the most successful elements that we have and capitalize on those. I feel like this conversation we've gotten to have in work session is probably what it might look like sometimes behind the scenes when staff takes these these different priorities of ours and takes them, tries to figure out, you know, how do we make them

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all work together like, you know, a jigsaw puzzle? How do we make sure that if we're changing one thing that we're not inadvertently making another one less useful or less popular for? And so I think this is a dice that really wants to have that conversation and try to clean up any confusion along the way. I know in the past years we've said if there's any conflicts or any areas that are unclear as staff is trying to look at our direction and what we approve, we're more than happy to try to hash it out ourselves and figure out, you know, up or down votes on which one's going to triumph and which ones are actually going to be more useful. But I think we're in a good place to try to sort out all the different density bonus programs because I can't remember them off the top of my head. And so that's why I just want to make sure as I'm evaluating the proposals that my colleagues bring, that I know what it is that we're trying to accomplish and, you know, to really right size it, to make sure it can be useful. Absolutely. I think there there are more than I have fingers and toes and so I can't even count them all. And we would like to, you know, really

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have that opportunity to, to make sure that we're doing things in the most effective way that we possibly can. Thank you. Mayor pro tem. We'll go to item 78 councilmember Ryan alter pulled item



number 78. I'll recognize councilmember Ryan alter. Thank you very much, mayor. I have this question. I don't know if it's for city manager, if it's for Shaw Rosie, but the first be it resolved mentions that that it's going to potentially establish days when zonings will be accepted zoning applications will be accepted and the number of zoning applications accepted per day and I'm just wanting to understand Eid that potential limitation, what's envisioned there. We are saying that you can only have, you know, 20 zoning applications per month and if you don't, you know, if your number 21, you got to wait till the next month or what, what's our what's our thought in

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how this will look. Good morning mayor and council Lauren Middleton Pratt planning director so the guidance that staff is looking for is one to allow for more predictability for staff. Right now, as we've talked about it, we are severely understaffed. And so what we're seeing is we have some staff who have 60 zoning cases, some who have 40, some who have 25. And a normal landscape, a good caseload would be about 25 zoning cases. And so what we're asking for is more of an internal process where receives the zoning application and then they send it over to staff. And so if you pick a particular day, let's say Monday, that allows the development community to understand that on Mondays, staff will then recalibrate, prioritize their caseload and do what you would call an intake process on Monday. That developers could apply for or

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submit an application Monday through Friday, Saturday and Sunday if they want to. But on Monday, Shea staff would do that internal intake process where we would then prioritize our caseload for that day in terms of how many we would receive right now that we're still discussing with legal, maybe it's five, maybe it's ten. Right now, the submission caseload is not as heavy as it was in the past few months. And so we might see five, five applications burns coming in in the last couple of weeks. But once we get to those high submission months when we're getting, you know, ten, 20 Eid, it would be nice to have the flexibility to say, okay, every Monday we're going to accept ten applications. And so this this resolution is more of a I would call it a safety net for staff. It would be it would allow us some time to provide again, what said

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predictability for staff. This is not a resolution to hold up development. We don't want to slow down the process. S we just need to have some regularity on the caseload that we're seeing. Oh, sure, that makes sense. And as we look to administer this, I just want to make sure, you know, functionally speaking, if we had 5050 applications come in and only ten of them can really be doled out to staff and the other 40 are

just sitting in the queue, so versus saying to those other 40, well, you need to come back next week to apply because you weren't. I fear that it potentially creates a bias toward those who are the regulars. Yeah, and so just making sure Shaw that, we're conscious of that for sure and I know you are, but just want to voice that as we look towards its implementation. Thank you. Thank you. Councilmember. Any

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other councilmember Vila? I fully understand the concerns that we just had a conversation about, you know, the staff resources and the limitations. It's just it's a difficult situation we're in because as our code dates to 1984 and it's not really reflect active of the current kind of developed and the current needs of the city of Austin. So I think as a consequence, we have a ton of rezoning applications, and I'm struggling with that, you know, because it's one of like, you know, we didn't do the code rewrite, which would have hopefully cut down on rezoning. And now we're saying like we also can't handle the volume of rezoning, you know, so, so something's got to, to give on there. I, I'm gonna have to mull it over honestly and see where we are on that. But it just, it concerns me, like just because I

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feel like we're, we're trapped a little bit on, on the housing front, you know, we need that new housing Singh and we need it. You know, yesterday. But, but we're not able to, you know, to, to crank out the permits and the rezoning. And again, I'm just kind of thoughts in general. I mean where are you on that? How do you how are you seeing kind of trying to strike that balance? I totally understand the concern and I, I, I joke with staff, you know, being on this is my 35th day on the job. But what I saw on May 1st is that that there there's we have awesome staff and they are cranking away as fast as humanly possible. And so what I and the rest of the leadership team want to do is you know, it is everyone's intention to get across, you know, the tightrope. But we can do it a little more efficiently and confidently if we know that we have the safety net under us. And so there is no

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intention of us to slow down the process. But if we are allowed the capability of one hiring a third party consultant, which I'm currently in the process of speaking with the procurement and purchasing office to secure to secure a contractor through a limited competitive process where we can identify three or more consultants to bid on the project, get it expeditiously approved, and then have someone come in to take over that four month backlog that we currently have that will then free up existing staff to focus on those typical applicants that are coming through. And so we want to address the need of let's get it done. And so hiring the third party as well as filling the vacancies is right now we with a typical landscape of lots of applications burns and a full staff we could get it done

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regularly. Other cities, peer cities our size have approximately 10 to 15 planning staff. Right now we're operating at four. And so with the ability to fill the vacancies that we have, fill the unmet needs that we have due to the decoupling of the two departments, we should get there. But again, this resolution is just a safety net. It's not a standard. I appreciate that. And I would also say, again, some of the comments from the, you know, the builders and the kind of development, you know, community. I know there's one gentleman always jokes about how, you know, you take a 12,000 square foot lot and, you know, you draw a line in the middle of it to create two 6000 square foot lots. And that takes about \$100,000 in a year of time. You know, that's where I think council and our policies could make that a simpler, easier process when we're talking about and again, think about it in a number of the zoning cases, obviously you all have very complex rezonings that are puds and, you know, different kind of

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projects like that. Brodie oaks and then there's a whole other world of much simpler, you know, straightforward rezoning. And that's honestly where I think, you know, what can we do to from a council perspective, from a, you know, rule change perspective to make those rezonings which we know are going to get done, which, you know, people have a right to under the law and the code lets us get those in and out as quickly as and efficiently as possible. I would appreciate from staff, you know, to the extent that y'all are identifying and saying, you know what, this process is unnecessary or this process is really, you know, duplicative or whatever the case may be, let us know and we're happy to. And again, obviously I can only speak for myself, but I think you know, the council in general would be happy to help y'all by by reducing the unnecessary workload and complexity whenever possible. Okay, councilmember, we hear you. I think this is like Lauren said, this is kind of a safety net. So I think that that's trying to bring some order to this process. But I will say there will be an

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opportunity once the development service is, I guess consulting service is done. That gives us a roadmap of how we can simplify this process. There will be a bundle of code amendment changes that will need to be done, and I promise you we will be goring some oxes when you do that. And we'll have some people come tell us why we need to have all those elements in the code that basically slow us down. And we're going to need the help from council to be able to cut through that. I greatly appreciate that. I will say that there was this was it the sucker report. I can't remember the name of it. Right? Yeah. Which has been, you know, it was a great paperweight, you know, I mean, it's actually not because it's too big. Yeah but it's been, again, I think there were some. Some excellent suggestions and they identified some

areas where we could do that. But as far as I'm aware, I don't think we ever implement it was on planning commission at the time and I think we implemented very , very little, I would say, of the Zucker report. So I look forward to the to the new Zucker report. Zucker Jr yeah, and that

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and Zucker has I think, been able to be utilized Eid as kind of a baseline in some way. In some instances. But Mackenzie is going to have its own risk and as the manager has pointed out, it's going to we're going to have a lot of opportunity to fix things and speed up things, as I think everybody probably at this table has promised would happen. Excited to hear that? Yeah. When we have a conflict we feel we usually feel strongly both ways . Okay. Yeah. Mayor pro tem one last idea that I just remembered is as you were discussing, this is we have had the conversation when we develop new bonus programs about what needs to be staff administrat decisions and authorized as long as they meet the criteria and what qualifies for rezoning and so especially when it comes to bonus programs , you know, we've had the conversation a couple of different ways, but usually hammer out a way to make it a bonus program so that if you

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check the boxes, then you qualify for it. And it's not it doesn't have to go through the whole process of a rezoning. If you're trying to completely change one use with restrictive covenants and, you know, all these other things that go with it that, you know, is a time consuming and expensive process. And so I think if we as a dais can can hammer out exact thresholds that we want to be followed, then it gives that power to staff to say we know what the intent is, we know what the direction is and we feel supported in moving forward with it. Thank you, mayor pro tem councilmember councilmember Kelly. Then we'll go to councilmember Fuentes didn't have anything to say on this item specifically at the end, if I can wrap up. Yes okay. Thank you. Just thank you. And really, it's this item and just the items we discussed in general. Mayor I just wanted to circle back with you to gain some clarity on the committee process. So taking today's conversation, what is how is the committee going to be integrated? Well I appreciate you're looking at me, but the committee was looking at the

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chair and the vice chair trying to get clarity myself on how that was going to be utilized and think I'm more confused now than I was at the very beginning . It seems to me that if we were actually going to use what the committee brought forward, that it and what I think the answers were when I was asking that question earlier, it seems to me that these items would be scored in some way about where they would be in terms of priorities , thus not sliding under the door in advance of others and not being ad

hoc because they would be part of an overall process. But that's certainly not been the way the discussion has gone. And so to answer your question, I'm going to ask the vice chair of the committee, by the way, the chair of the committee is also on she's on virtually. And if council member harper-madison, if you want to

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chime in here, feel free to let me know, but I'll recognize. Let me let me ask you, do you want to say anything or do you want me to go to council member alter Ryan alter we'll go to council member Ryan alter. So think what we envision here as part of the discussion Ann with staff when we leading up to this was we wanted to make sure they knew about these items and kind of rolled them in. So if you look at that chart, for instance, the density bonus programs are already within that chart or within the Gantt chart, the compatibility already within that. So they knew those were coming and rolled those in looking forward, the idea was that that was what staff was doing, but what was the committee doing in terms of its ranking? That's correct. So the committee, when we the chart that we put forward was exclusively on amendments that were already passed by council and the reason why we wanted to

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come back and visit on the 13th was to incorporate any additional discussion that we had as a body in terms of how we include any new items within that overall scheme and to staff's point of it being a living document, that that will adjust. That's kind of our hope is to period basically look at where we are in our priorities, see if staff, you know, maybe in 2 or 3 months they say this item that we thought was really simple turned out to be really complex. Do you want us to continue to keep it at that high priority at the expense of something else? Or do you want maybe something to don't say jump the line, but to take a priority, it's all about continuing to have the conversation with staff. So we understand not only how things are progressing, but if we have anything new in the queue where it fits into our overall picture

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and regime. So within in the context of. No item will ultimately the goal would be that no item that makes a change to the land development code would ultimately be considered to be ad hoc because ultimate shortly it's going to have to be prioritized caused by going to the committee being prioritized in that way and by being priority ized in terms of the way the assistant city manager and city manager laid out what how staff is going to look at exactly. And to kind of put to make for simplicity's sake or to give you an example, like for councilmember pool, she posted on the message board that she has something Singh related to I think it was soft density neighborhoods, but I believe that's related to ads. So that will fit into the conversation. And so when we have that item, we can come back and say, you

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know, this fits within what you're doing and just making sure that everything Singh is not ad hoc, but is part of the conversation where it should be okay. Did that answer your question? Councilmember it it's helpful, I guess my question is the draft implementing action plan that's in the memo that we were briefed on today that that is the committee is going to like. Is that going to be the base document, the committee deliberate Bartz on the priorities moving forward? Eid I believe so. And I'll let councilmember harper-madison councilmember harper-madison when called on her before the system wasn't working and she's available now. Councilmember do you want to say something? Thank you. I appreciate being recognized. You know, I find it a little bit disruptive for me to speak from the Jumbotron. So I will defer to the vice chair in the moment unless there's a specific question for me. Fair enough. So, yeah, I believe that the what we have from staff will be our base document Burt and then we're going to have a discussion about about if we agree with exactly where that is

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and, and at first blush think it's a pretty good timeline. If there's something that we just feel for one reason or another, really needs to be pressed hard, maybe that is something that we encourage them to really look at a consultant for or, you know, if it is ranked higher, what, what is that trade off? And because you can't just move something up in the line without impacting everything else. And so, and then making sure that any future items is where the hope is to have a discussion about what we think is coming and give staff the ability to think about where those fit in to the overall chart. Because I think a lot of what is coming fits within these categories already. For instance, the one I'm bringing on the 20th probably fits in the zoning category. And so being able to just give them as much knowledge and information ahead of time so that they can do their job comprehensively. I don't know if

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I answered your question, but it is. And I would just ask manager that, you know, given today's conversation with council, knowing that we, you know, we don't want to limit our progress because of lack of resources. His and it seems like you have indicated that that won't be a problem. So knowing so perhaps that the housing committee meeting on the 13th we can hear from staff any updates that are made to the implementation schedule based on that. We are providing our our guidance on, you know, accelerating our progress. Yeah. I'll ask a assistant manager Briseno to get with purchasing to make sure that that process of the consultant that the that Lauren talked about that we can meet the standard get them on quickly as understood the direction from a couple of council members is to make sure go back and look at the list in terms of the timelines and were there things there that if additional augmentation

of resources, we could do a different schedule? Pool we're certainly look at that. That's the schedule that I think is the council members talked about. That's our baseline. But if there are things that we can do to improve

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it, we'll we'll certainly want to do that and think and we'll continue to just update the committee just in terms of where we are with those goals as well as council members who are not members of that committee. Did that capture that mazomenos that's a that's absolutely right. And I was going to just add, that staff's already been as we've contemplated this list . I think staff has a good idea of good topics that we could hire a consultant on to focus on and Lauren and I were just talking about even looking at what the conversation she's having now, we can expand that discussion and that scope and bring somebody on quickly. Me and councilmember I'll also ask Ann and Tricia talked earlier about our our our legal process or the processes themselves just to see if there's anything within that system that we use. Now that could be short circuited that in other words, especially those that are quick, quick fix items that don't have a lot of you know, that we know what needs to get done, we'll we'll see if there's some give within those schedules as well.

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That gets it to a quicker timeline if it's at all possible. You are the governing board mean and but but the planning commission is a sovereign board and they have they have authority by state law. So we need to make sure we respect those those guardrails. Okay mayor pro tem, just for clarification, Ann director Benigno, are we approving the housing and planning committee spreadsheet that the chair and vice chair had worked on and then the Gantt chart that's in your memo is just a staff reference that we can go back and make sure we understand where we are in the priority. That is correct. You're approving the framework that the housing and planning committee brought forward. We added the staff memo as more context to that discussion so you can have a good understand of what that workload looks like. And it will be an ongoing basis for our conversation and our work with the housing and planning committee. Okay. Thank you. And I would be remiss not to explain what a Gantt chart is. I know a couple of us have been using that, but I'm sure Natasha probably has some folks. She's like, you got to spell it out. You can't just use all these all

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of these short and terminology. But the Gantt chart is essentially a project management type of scheduling document where you can see which months of the year you're intending to enter, which phases of the planning process. And when they start, when they end and the different steps in the

middle. So that's what we mean when we talk about a Gantt chart. Councilmember villa, just a quick believe. I know councilmember pool is not with us today away on city business, but but her item is going to be relating to a minimum lot size I believe. And so just wanted to kind of speak on her behalf and throw that into the mix. And it also mean it may interact with some of the other items that item or some of the other ones. So there may be some additional kind of coordination of the various items that has to take place. But, you know, I know she's looking forward to bringing it to council and I think that's something that's long overdue. So just wanted to mention that because I know councilmember Ryan holt-rabb mentioned it right now. So yeah, think that'll fit right in with the infill knell discussion in there. Completely agree. It's a critical part of that whole relationship and I really

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appreciate her bringing that item forward. Thank you. Councilmember Kelly, for an announcement, I think. Okay an announcement. Councilmember harper-madison, did you want to talk on this item? Yes, briefly. Just wanted to say that I really appreciate that councilmember Allison alter and that councilmember pool took their concerns and prioritization to the message board. Encourage the body to continue to use that resource to express our concerns and sort of lay out what our priorities are. I think it's very helpful for all of us to sort of see that and for the public to see it. Thank you, councilmember Kelly. Thank you. Sorry, I was trying to come up with something interesting to say, but unfortunately, it has to do with business. Wanted to flag item 85. I will be proposing an amendment today that will be up later this afternoon on the message board. It just clarifies some of the language related to line 45. What I wanted to do was change the wording to state the pilot program will extend to the end

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of a 12 month period from the beginning of the program implementation. It strikes through fiscal year 23 and 24 and then cease unless further extended by council. And I just wanted to clarify that language because in talking with further about what their needs were and their timeline, what the program it occurred to us that it may take a few months to stand up the program. And if we are looking to get real good data, I want to ensure that we cover as much time as possible so that we can get that. So hopefully it's amenable to the author of the item 85, but it will be posted on the message board later today. So thank you, colleagues . Thank you, councilmember members, we're going to now go into a closed session. The city council will now go into closed session to take up one item, pursue to section 55107. One of the government code. The city council will discuss legal issues related to E to the implementation of proposition a, an initiated petition on the may 2023 ballot item E one has been

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withdrawn. Ann. Is there any objection to going into executive session on the item announced without objection, we are going into executive session for the public that's watching at the end of this executive session. Ann I'll come back in and adjourn the work session. Ann we have a time certain of 1:00. It's a different meeting. But for those that are interested, at 1:00, the city council, oil capital, metro and the Austin transit partnership will be having a joint meeting that will be conducted in the Austin city council chambers. We'll go into executive session .

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Code. Chapter 551071. In that we receive legal advice related to item two, which was legal advice related to proposition a, which was a petition initiated Eid. A election held in may of 2023. It is now 1202 and without objection, the Austin city council. I'm calling the Austin city council back to order. But without objection, we're now adjourned. Thank you.