

RESOLUTION NO. 20240321-039

WHEREAS, Austin continues to change rapidly through both private development and major public infrastructure investments that will shape the future of Austin for generations to come, and these projects should be designed and constructed according to key city priorities and plans and should have outcomes that significantly improve the lives of Austinites; and

WHEREAS, the Imagine Austin Comprehensive Plan outlines a vision for a complete community where development occurs in connected and pedestrian-friendly patterns supporting transit and identifying green infrastructure as a key strategy to achieve these goals; and

WHEREAS, the Austin Climate Equity Plan and the Austin Strategic Mobility Plan call for a 50/50 mode share whereby 50 percent of commutes are made in ways other than driving alone and envision completing the Bicycle, Sidewalk, and Urban Trails Plans by 2039; and

WHEREAS, in 2013, Council approved Resolution No. 20131212-080 that directed the City Manager to create and implement the Complete Streets Policy which encouraged city streets to integrate nature and green practices into our city including trees, landscaping, and rain gardens, also known as Green Infrastructure; and

WHEREAS, Project Connect renderings envision tree-lined pedestrian spaces that are shaded and comfortable to promote rail use; and

WHEREAS, the public right-of-way serves several functions including the placement of public infrastructure such as utilities, sidewalks, landscape, and trees; and

WHEREAS, the reality of working within the public right-of-way can contradict City regulations, council policies, and planning goals that emphasize livable, walkable, safe, and transit-supportive corridors; and

WHEREAS, the right-of-way is crowded with competing utilities that often leave little room for other city priorities; and

WHEREAS, Austin's extensive overhead power distribution network is often incompatible with a continuous canopy of street trees required for a high-quality, walkable, bikeable, and transit environment; and

WHEREAS, Imagine Austin defines "green infrastructure" as parks, the urban forest and trees, urban trails, greenways, rivers, creeks, lakes, gardens, urban agriculture, open spaces, and wildlife habitat; and

WHEREAS, "green stormwater infrastructure" can be defined as stormwater management practices that use landscape features including trees and engineered systems to mimic natural processes, thereby improving the quantity and quality of stormwater runoff; and

WHEREAS, among the measures listed above, trees stand out as highly effective when strategically planted along curbsides in public rights-of-way because they not only contribute to stormwater management, but also provide shade and physical protection to pedestrians; and

WHEREAS, climate change is altering Austin's weather patterns, and the city is estimated to experience an average of 82 to 95 days per year with a heat index over 100 degrees Fahrenheit by 2050 (compared to 29 days historically); and

WHEREAS, some of the most extreme impacts of the urban heat island effect are experienced along streets, and a safe, accessible, comfortable, and enjoyable sidewalk environment is essential in attracting people to adopt alternative modes of travel; and

WHEREAS, older adults, infants and children; those with chronic medical conditions; low-income individuals; and pregnant women are disproportionately impacted by extreme heat; and

WHEREAS, street trees help mitigate the urban heat island effect by shading paved areas, reducing the absorption of solar radiation, and producing evapotranspiration, thereby cooling pedestrian sidewalk spaces by as much as 10 degrees Fahrenheit; and

WHEREAS, the current City standards for planting street trees are insufficient and do not create optimal planting conditions where new trees can thrive and develop significantly larger canopies that provide critical shade; and

WHEREAS, a tree should live 50 to 100 years, depending on the species and a recent U.S. Department of Agriculture study analyzed tree life expectancy and found that in urban areas the typical street tree life averaged between 19 to 28 years; and

WHEREAS, the City's license agreement process and requirements are burdensome, time-consuming, and introduce substantial risks to development projects, often disincentivizing the planting of street trees and other green infrastructure in the public right-of-way; and

WHEREAS, almost all of our City plans call for walkable pedestrian spaces, but no plan addresses how to achieve these goals when competing City

priorities physically may not allow space for trees and other pedestrian amenities;
and

WHEREAS, past discussions and coordination between departments regarding the Complete Streets initiative were positive, and many of these collaborative efforts could be expanded to achieve more comprehensive coordination across City departments; and

WHEREAS, the code identifies Public Works as the administrator of activities within the right-of-way and there is an opportunity to bring City departments with an interest in the design and management of the right-of-way together to resolve differences; **NOW, THEREFORE**,

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

The City Council directs the City Manager to explore a right-of-way design and management plan that achieves the following goals while ensuring the reliability and safety of the utility infrastructure:

- Analyze barriers and obstacles to allowing green infrastructure including trees along new roadways or transit lines and provide solutions to overcome them, similar to information found in the Portland Bureau of Transportation - Streets 2035 – Summary of Issues and Resolution. The solutions should include an analysis of ongoing impacts and costs for tree and utility maintenance as well as possible funding solutions. Also include SMART Housing and ETOD projects in the analysis.
- Review existing plans and policies to clarify requirements and determine the best approach to holistically manage the right-of-way to

allow for street trees and other green infrastructure for all future right-of-way projects that achieve the goals and intentions found in these plans, including but not limited to:

1. Imagine Austin Comprehensive Plan
 2. Austin Climate Equity Plan
 3. Austin Strategic Mobility Plan
 4. Complete Streets
 5. Austin Urban Forestry Plan
 6. Water Forward
 7. Watershed Protection Department Strategic Plan
 8. ATX Walk Bike Roll
 9. Downtown Great Streets Master Plan update
 10. Project Connect
 11. Congress Avenue Urban Design Initiative
 12. City-Owned Utility Capital Improvement Plans
- Study the potential impacts of a mandate to require street tree-shaded right-of-way for public and private projects that abut public roadways and recommend code modifications to require street trees, while providing reasonable alternatives - including a payment-in-lieu fee - where street trees are not feasible yet.
 - Explore efficient layout of utilities to help preserve trees and allow space for new street tree plantings and stormwater management.
 - Explore methods of protecting the utility infrastructure itself, instead of increasing the distance requirements from green infrastructure. Provide cost and effectiveness analysis of the utility protection when the responsibility is either a public or private entity.

- Explore minimizing utility offsets or buffers greater than minimum state-mandated utility spacing requirements.
- Explore opportunities to utilize pervious paving, curb cuts, and tree wells to allow stormwater to be captured into the tree root zone, as well as suspended paving technologies, such as soil cells, that help increase soil volume and permit utility laterals to pass through the planting zone safely. These efforts will allow trees to achieve both optimal health and maturity, reaching their lifespan, height, and canopy.
- Explore combining the license agreement and site plan applications to streamline the overall process and minimize time delays. Provide standard details for green infrastructure and street trees within the right-of-way that can be used without a license agreement. Research alternatives to the license agreement process using standardization.
- Explore innovative lighting techniques that work to maintain the safety of the public and our roads when installed adjacent to green infrastructure.
- Explore opportunities to convert existing roadway slip lanes into rain gardens for water quality or other green infrastructure.
- Explore creating a team dedicated to maintaining green infrastructure, including street trees, located in the right-of-way. The recommendation should include a funding source and possible full-time employees required to staff the team.
- As the right-of-way manager, Public Works provides leadership and resolves conflicts around competing priorities; explore expanding the

resources and staffing available to continue this work and achieve community goals outlined in our planning documents.

BE IT FURTHER RESOLVED:

The City Manager is directed to consider the street-tree planting details and specifications in use within the Corridor Construction Program (the “CPO Tree Manual”) and recommend if these practices should become the standard for tree planting in the right-of-way and/or adjacent to utilities.

BE IT FURTHER RESOLVED:

The City Manager is directed to provide an opportunity for the Technical Advisory Review Panel to discuss technical challenges with the implementation of this initiative which should include but are not limited to:

- Identify key conflicts within the administrative criteria manuals.
- Develop standard specifications and details.
- Identify other roadblocks to achieving a higher percentage of green infrastructure including street trees.

BE IT FURTHER RESOLVED:

The City Manager is directed to brief the Council Mobility Committee on September 19, 2024, and provide a proposed timeline for bringing potential code standards and process changes to Council.

ADOPTED: March 21, 2024 **ATTEST:**



Myrna Rios
City Clerk